

Informal Vending and the State in Kampala, Uganda

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Preface

This dissertation is the result of my own work and includes nothing which is the outcome of work done in collaboration except as declared in the Preface and specified in the text.

It is not substantially the same as any that I have submitted, or, is being concurrently submitted for a degree or diploma or other qualification at the University of Cambridge or any other University or similar institution except as declared in the Preface and specified in the text. I further state that no substantial part of my dissertation has already been submitted, or, is being concurrently submitted for any such degree, diploma or other qualification at the University of Cambridge or any other University or similar institution except as declared in the Preface and specified in the text.

It does not exceed the prescribed word limit for the relevant Degree Committee.

Abstract: This thesis examines how the agency of informal vendors in Kampala, Uganda, is shaped by the state. It argues that efforts by the President and the NRM to monopolize political power have dramatically restricted the agency of informal street and market vendors, forcing them to adapt to changing political circumstances in ways that have limited their ability to participate in urban development and economic life. This argument is presented through two examples of how expanding political control has led to a contraction of vendors' agency. The first of these describes how the early decentralization and democratization reforms introduced by the NRM allowed street vendors to take advantage of competition between newly elected and empowered politicians to remain on the city's streets, and how the central government's subsequent recentralization and de-democratization of political power in Kampala has led to the repression of street vending while closing the channels of influence that vendors previously enjoyed. The second explores how efforts by the central government to undermine the opposition-led local government allowed market vendors to successfully oppose an unpopular market privatization initiative, and how both the President and the new city government have since been able to take advantage of disputes within markets for their own purposes while vendors have been largely unable to realize their market management and development ambitions. Both examples detail the causes, forms and implications of the ruling party's monopolization of political power and explore how vendors have responded to their changing political circumstances, highlighting how these efforts face significant obstacles due to the increasingly restrictive environment in which vendors are forced to act. This thesis shows that the agency of informal vendors—while always manifest in certain ways—is constantly and increasingly constrained as the President and the ruling party tighten their grip on power. As their political exclusion precipitates a broader exclusion from urban development and economic life, informal vendors are forced to contend with a situation of increasing marginalization and vulnerability that they are largely unable to improve.

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List of Acronyms

ADF: African Development Fund
AfDB: African Development Bank
BADEA: Arab Bank for Economic Development in Africa
CAO: Chief Administrative Officer
CAPREx: Cambridge-Africa Partnership for Research Excellence
COFTU: Central Organisation of Free Trade Unions
DEMGroUp: Democracy Monitoring Group
DP: Democratic Party
DII: Development Initiatives International
FDC: Forum for Democratic Change
FDI: Foreign Direct Investment
GDP: Gross Domestic Product
HRW: Human Rights Watch
IGG: Inspector General of Government
ILO: International Labour Organization
IMF: International Monetary Fund
KACITA: Kampala City Traders Association
KCC: Kampala City Council
KCCA: Kampala Capital City Authority
KDLB: Kampala District Land Board
KIIDP: Kampala Institutional and Infrastructure Development Project
KJMVA: Kampala Joint Market Vendors Association
LC: Local Council
LRA: Lord's Resistance Army
MATIP-1: Uganda Markets and Agricultural Trade Improvement Programme – 1
MATIP-2: Uganda Markets and Agricultural Trade Improvement Programme – 2
MP: Member of Parliament
NGO: Non-Governmental Organization
NMCSCSL: Nakawa Market Co-operative Savings and Credit Society Limited
NMDSC: Nakawa Market Development Steering Committee
NMTDA: Nakawa Market Traders' Development Association
NMVA: Nakawa Market Vendors Association
NMVAL: Nakawa Market Vendors Association Limited
NNRMVA: New Nakivubo Road Market Vendors Association
NOTU: National Organization of Trade Unions
NRA: National Resistance Army
NRM: National Resistance Movement
NRM-O: National Resistance Movement-Organization
NROKKMVL: Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited
NUIEWO: National Union of Informal Economy Workers' Organizations
OSSREA: Organization for Social Science Research in Eastern and Southern Africa
PLAVU: Platform for Vendors Uganda
PSFU: Private Sector Foundation Uganda
RC: Resistance Council

RCC: Resident City Commissioner
RDC: Resident District Commissioner
SACCO: Savings and Cooperative Credit Organization
SDP: Social Democratic Party
SLOA: St. Balikuddembe Market Stalls and Lock-Up Shops Owners Association
SSLOA: St. Balikuddembe Market Stalls, Space and Lock-Up Shops Owners Association Limited
SOPTVC: St. Balikuddembe (Owino) Market Produce, Traders and Vendors Co-Operative Society
TIN: Tax Identification Number
TREP: Taxpayer Registration Expansion Program
UBOS: Uganda Bureau of Statistics
UFA: Uganda Federal Alliance
UGX: Ugandan Shilling
UMVA: United Market Vendors Association
UNCST: Uganda National Council for Science and Technology
UPC: Uganda Peoples' Congress
URA: Uganda Revenue Authority
URSB: Uganda Registration Services Bureau
USD: United States Dollar
UTODA: Uganda Taxi Operators and Drivers Association
UVA: Usafi Vendors Association
WIEGO: Women in Informal Employment: Globalizing and Organizing

Note on Currencies

This thesis describes values in either Ugandan Shillings (UGX) or United States Dollars (USD). The currency that is referenced in any particular instance is the one involved in the valuation or transaction under discussion.

The value of the Ugandan Shilling fluctuates considerably. Between February and August 2015, the period during which fieldwork for this thesis was undertaken, the Shilling fell from approximately 2855 per USD to 3663 per USD. Throughout 2016, it remained relatively stable at a value of between about 3305 per USD and 3478 per USD. All figures cited here are nominal rather than real values.

Chapter One: Introduction

Part I: Research Problem

Informal economic activity is a central feature of economic life in many developing states. Defined as any otherwise legal income-generating activity that exists outside of the regulatory and revenue framework of the state, an estimated 66% of all non-agricultural workers in Sub-Saharan Africa engage in the informal sphere, along with 82% in South Asia, 65% in East and Southeast Asia and 51% in Latin America.¹ Street and market vendors, urban transport providers, waste pickers, domestic workers, small-scale manufacturers and service providers, construction workers and other casual labourers all commonly operate in the informal economy, representing a wide variety of livelihood strategies and employment relationships.

Despite its prevalence, however, informal economic activity is commonly neglected in scholarly and policy literature. Economic analysis frequently treats informality as non-existent, and when it is acknowledged, it is often done so in a brief, cursory manner. Even more scholarly treatments commonly present the informal sphere as opaque and incomprehensible.² When informal economic activity is addressed in a more direct and detailed way, a perspective that is notably absent from most discussions of informality is that of informal actors themselves.³ This is not merely an oversight. Informal actors are commonly assumed, whether implicitly or explicitly, to possess limited capacity for agency. Their economic marginalization is extended to a more general inability to alter their circumstances, with their informal status rendering them, by definition, disconnected from and outside of the scope of political life. Because informal actors are assumed to lack virtually any form of political voice, questions about their agency frequently remain unaddressed.⁴

¹ Vanek, Joann et al., "Statistics on the Informal Economy: Definitions, Regional Estimates and Challenges," Women in Informal Employment Globalizing and Organizing (WIEGO) Working Paper (Statistics) N.2, April 2014, 10. Figures are averages for 2004-2010.

² This phenomenon is described in Meagher, Kate, *Identity Economics: Social Networks and the Informal Economy in Nigeria*, Oxford: James Currey, 2010, 6-7.

³ The term 'informal actors' is used here to refer to all individuals who engage in informal economic activity.

⁴ The literature addressed in this introduction is reviewed in detail below. For prominent examples of early literature on informal economic activity, see: Hart, Keith, "Informal Income Opportunities and Urban Employment in Ghana," *The Journal of Modern African Studies* 11 (1) 1973: 61-89; and Portes, Alejandro, Manuel Castells and Lauren A. Benton eds., *The Informal Economy: Studies in Advanced and Less Developed Countries*, Baltimore: Johns Hopkins University Press, 1989.

Several authors have come to question the silence surrounding agency in the informal sphere by focusing on the ways in which informal actors are able to insert themselves into urban development processes. Neoliberal accounts of informal economic activity offer the most influential understanding of the agency of the urban poor, presenting informality as a form of liberation from the state and a form of resistance to a political and economic *status quo* that is viewed as unjust, overly burdensome or otherwise flawed.⁵ Other authors have instead examined the specific forms that the agency of informal actors can take, including using the political support that they can provide to state officials to further their interests,⁶ forming or participating in organizations⁷ and practices of evasion and mutual assistance.⁸ Both sets of scholars have begun to address new questions surrounding how informal actors seek to overcome their marginalization and the impact that these efforts can have. This work has allowed scholarship to move beyond traditional debates surrounding the causes of informality and the most appropriate means of encouraging formalization, and to instead focus on its political dimensions and the struggles that it entails.

Despite the value of this literature, it is still underdeveloped and many important questions surrounding the political actions of informal actors remain. The extent to which agency is dependent on political structures, circumstances and particular alignments of power deserves further attention, as does how the agency of informal actors is facilitated and/or constrained by particular state actions and broader political changes. Given that the state is often a primary target, obstacle, facilitator or vehicle for political action and a central party to the issues that informal actors mobilize around, its impact on agency merits full examination. It is impossible to understand the agency of informal actors without recognizing the centrality of the state, but existing treatments often provide only partial accounts of specific instances of state power, fail to consider how the state evolves over time or largely ignore the state altogether.⁹ Such a shortcoming allows for valuable new research to be undertaken.

⁵ De Soto, Hernando, *The Other Path: The Invisible Revolution in the Third World*, trans. June Abbott, New York: Harper & Row, 1989; and Tripp, Aili Mari, *Changing the Rules: The Politics of Liberalization and the Urban Informal Economy in Tanzania*, Berkeley: University of California Press, 1997.

⁶ Cross, John C., *Informal Politics: Street Vendors and the State in Mexico City*, Stanford: Stanford University Press, 1998a.

⁷ Lindell, Ilda ed., *Africa's Informal Workers: Collective Agency, Alliances and Transnational Organization in Urban Africa*, London: Zed Books, 2010.

⁸ Steel, Griet, "Whose Paradise? Itinerant Street Vendors' Individual and Collective Practices of Political Agency in the Tourist Streets of Cusco, Peru," *International Journal of Urban and Regional Research* 36 (5) 2012: 1007-1021.

⁹ The most significant treatment of the state in this regard can be found in *ibid*.

Using informal street and market vending in Kampala, Uganda as a case study, this thesis addresses these gaps in existing literature by analyzing how the state shapes the agency of a particularly prominent group of informal actors in a highly contested urban environment. It details how the desire of the President and the ruling party to capture control of the city from the popular opposition has further marginalized street and market vendors and narrowed their opportunities for exercising agency, and explores how street and market vendors have responded to these changing circumstances in their continued efforts to participate in urban development. In doing so, it presents a critique of neoliberal interpretations of the informal sphere as a space for agency and disengagement from the state, instead demonstrating how agency can be permanently constrained by the constant encroachment of state power. The insights that it offers have profound implications for understanding informality both in Uganda and beyond.

Part II: Thesis Overview

i. Research Question

This thesis addresses the following question: *How does the state shape the agency of informal vendors in Kampala?* It does so by empirically examining what characteristics of the state most fundamentally impact the form and success of vendors' efforts to participate in urban development and economic life in the city, and by analyzing how informal vendors are impacted by and respond to changing political circumstances as the nature of and their relationship with the state evolves over time.

ii. Argument

This thesis argues that efforts by the National Resistance Movement (NRM) and President Yoweri Museveni to monopolize their control over the state at both the local and national level have dramatically restricted the agency of informal street and market vendors in Kampala, forcing them to adapt to changing political circumstances in ways that have limited their ability to participate in urban development and economic life in the city. Shortly after coming to power, the NRM introduced extensive (if flawed) decentralization and democratization programs as a means of expanding its own legitimacy and popular support, briefly allowing informal vendors to take advantage of competition between the ruling party and the opposition to exercise influence over important policy matters. As a result, street vendors were able to remain on the streets of Kampala

and market vendors were (largely) able to resist the privatization of the city's markets. Determined to regain control of the city from the opposition, however, the central government ultimately took direct control over Kampala, disempowering the opposition and marginalizing local politicians, while Museveni and the ruling party have further sought to entrench their political control by establishing extensive patronage networks, co-opting or repressing independent organizations and influencing electoral outcomes through populist appeals, manipulation and the use of state resources. These ongoing and intensifying attempts to (re)assert hegemony have caused a gradual erosion of the competitive political environment that temporarily facilitated vendors' agency, ultimately de-democratizing and recentralizing political power in the city and creating an environment that is defined by a high degree of political, economic and social control. As the hegemony of the President and the NRM has expanded, the agency of informal vendors has contracted.

Informal vendors have been forced to adapt to their changing political circumstances. As the conditions that facilitated political influence have disappeared and the new centrally controlled local government has sought to legitimize its existence by implementing ambitious urban development plans, street vendors have faced significant repression and struggled to maintain their place in the city's physical and economic landscape. Street vendors have responded to their new circumstances by seeking to co-operate with relocation efforts, adopting small-scale strategies to continue their activities or attempting to organize to restore their political voice, but all of these strategies have significant limitations, and none have succeeded in reversing their increasing vulnerability. Market vendors have similarly (if less dramatically) struggled to control their economic fortunes and secure involvement in Kampala's urban development processes, and have experienced major conflicts surrounding market ownership and development that have been brought about and manipulated by the President and the ruling party. While some vendors' organizations have been able to advance their management and development claims by establishing ties with either the President or the new local government, this has allowed Museveni and the NRM, in turn, to pursue their interests in the city's markets, while agency has otherwise been limited as groups of market vendors regularly face co-option, neglect or repression, and often reflect existing hierarchies within markets, fail to represent members' interests and struggle to implement management and development plans. For both street and market vendors, elections provide important periods of political competition, but the gains that they allow informal vendors

to make are either temporary or do not alter the fundamental marginalization that vendors experience. For informal vendors in Kampala, agency is still possible, but in the increasingly restricted political environment in which they are forced to operate, it is precarious and constantly constrained, and it rarely leads to any meaningful improvement in their political, social or economic conditions. The President's and the NRM's ongoing expansion of political power has significantly limited the ability of informal vendors to participate in urban development and economic life in the city.

This argument is presented by detailing specific efforts by the President and the ruling party to strengthen their control over the state and to (re)design state structures, institutions and policies with the ultimate objective of solidifying their political dominance, and by exploring how informal vendors have responded to the changing political realities that these efforts have entailed in their ongoing attempt to participate in urban development. It is primarily laid out through two accounts that are at the core of this thesis. The first of these details how street vending was able to thrive in the city due to the NRM's twin decentralization and democratization programs, and how the practice was subsequently outlawed following the central government's takeover of the city. The second explores how conflicts between the central and local government allowed market vendors to oppose an unpopular market privatization initiative, and how state actors have since been able to take advantage of disputes within markets to pursue their own agendas while vendors have been largely unable to realize their market management and development ambitions. These two accounts are tied together by the common thread of expanding political control and diminishing—but never completely disappearing—vendors' agency that results in further marginalization from urban development and economic life, a thread that, this thesis argues, is the defining feature of the politics of informality in Kampala..

iii. Aims of this Study

This thesis aims to provide a detailed analysis of how the state has shaped the agency of informal vendors in Kampala, Uganda. It offers both a 'bottom-up' view of the evolution of the Ugandan state under Museveni and the NRM as well as an analysis of how informal vendors have navigated and negotiated their changing political circumstances. In doing so, it uses the relationship between agency and the state as a lens through which to view the inadequacies and challenge the core assumptions of common neoliberal treatments of informal economic activity

more generally. While it explores these themes in the context of informal vending in Kampala, its argument has fundamental implications for understanding informality and the political economy of urban development that resonate beyond the confines of its particular case study.

a) Neoliberal Perspectives on Informal Economic Activity

The primary contribution that this thesis makes to current scholarship is the critique that it presents of the neoliberal approaches to informal economic activity that dominate academic and policy debates. Following the influential work of de Soto, neoliberal treatments of informality view the phenomenon as a form of grassroots market activity undertaken by small-scale entrepreneurs outside of the regulatory reach of the state.¹⁰ Informality, in this view, is the result of a rational choice by the poor to disengage from an unjust, unrepresentative political and economic system and a response to systemic exclusion and public mismanagement. It thus offers a form of popular empowerment for the urban poor at the expense of the state that reflects the creativity, resourcefulness and resilience of urban life.¹¹ Indeed, some contend, informal economic activity can have a transformative impact on the state by forcing it to accommodate the livelihood strategies of the urban poor, providing an important impetus for economic liberalization.¹² These perspectives on informality have had a profound and wide-ranging impact on the theory and praxis of international development, particularly due to their influence on the World Bank,¹³ and have created a consensus around a set of policy prescriptions that aim to reduce taxes, regulations and state bureaucracy while strengthening entrepreneurship as a solution to poverty through microfinance, formalization and private sector development campaigns.¹⁴ Such initiatives are in line with the broader neoliberal objective of minimizing the role of the state at the expense of private enterprise that has come to dominate international development.¹⁵

This thesis contends that neoliberal perspectives on informal economic activity are far too sanguine. This misguided optimism is rooted in a fundamental misconceptualization of the

¹⁰ De Soto.

¹¹ This view is also reflected in depictions of the agency of the poor in literature on urban Africa. See, in particular, Simone, AbdouMalik, *For the City Yet to Come: Changing Life in Four African Cities*, Durham: Duke University Press, 2004.

¹² Tripp (1997).

¹³ See, for example, Perry, Guillermo E. et al., *Informality: Exit and Exclusion*, The World Bank, Washington D.C., 2007.

¹⁴ Examples of important work that adopts a neoliberal perspective on informality can be found in Chapter Two, Notes 57-66.

¹⁵ Uganda's history of economic liberalization under the NRM is explored in Chapter Three, Part II, Section iii.

relationship between agency and the state in the informal sphere. By focusing on this relationship in the context of informal vending in Kampala, this thesis moves away from treatments of the state as relevant for the provision of an adequately liberalized regulatory and revenue environment and instead builds upon arguments about the importance of power and control, internal political calculations¹⁶ and the imposition of certain ‘modern’ forms of development.¹⁷ In doing so, it critiques the idea that informality embodies a form of liberation from the state, arguing instead that the informal sphere is a space that is fundamentally defined by the state in which economically vulnerable groups face further marginalization due to broader political changes over which they have little control.

The informal sphere is defined not by the popular agency of the urban poor, but the constant and ubiquitous presence of state power that permanently entangles those who participate in it. Far from offering a space for popular empowerment by allowing the poor to disengage from state, it subjects the poor to extensive and varied forms of state interference, co-option, repression and clientelism driven by the interests of those in power, all of which heavily circumscribe their agency and have a detrimental impact their livelihoods. While neoliberal approaches correctly focus on agency in the context of the institutional environment that informal actors find themselves in, their depiction of small-scale entrepreneurs engaging in grassroots market activity outside of and in response to burdensome laws and regulations misses the significance of the state for agency in the informal sphere; the poor do not exercise agency by disengaging from the state due to a lack of economic liberalization, but seek to navigate a complex and unstable political and institutional environment that is defined by the state in their efforts to participate in urban development and economic life. Informality offers not liberation from the state but further vulnerability and marginalization in the face of state power with little prospect of ‘changing the rules’ according to popular understandings of justice.¹⁸ The agency of informal actors does not shape political change; political change shapes the agency of informal actors. An appropriate understanding of informality requires a detailed analysis of how this occurs.

¹⁶ Cross (1998b).

¹⁷ Bromley, Ray, “Street Vending and Public Policy: A Global Review,” *The International Journal of Sociology and Social Policy* 20 (1/2) 2000: 1-28; and Setšabi, Setšabi and Resetselemang Clement Leduka, “The Politics of Street Trading in Maseru, Lesotho,” *Urban Forum* 19 (3) 2008: 221-241.

¹⁸ The concept of ‘changing the rules’ is borrowed from Tripp (1997).

b) Agency and the State in the Informal Sphere

In its critique of neoliberal approaches to informal economic activity, this thesis builds on treatments of agency in the informal sphere that explore the ability of informal actors to challenge their marginalization and participate in urban development. Rizzo, addressing similar themes, stresses the importance of identifying the structural impediments to agency by placing informal actors within their proper economic and social context, highlighting fundamental questions of ownership and power that lie at the heart of the dynamics of informal labour.¹⁹ This thesis adopts a comparable emphasis on the structural constraints to agency in the informal sphere by placing informal actors in their proper political context, inquiring into the role of the state in defining the environment in which vendors act and limiting their ability to participate in urban development and economic life.

Placing the state at the centre of its analysis, this thesis engages with the growing body of literature that emphasizes the ability of informal actors to exercise agency through political influence, organization and small-scale resistance.²⁰ While such work serves as a valuable corrective to neoliberal treatments of informality, it too often fails to situate agency in its full political context and consider the contingency of the actors and events that it describes. The state, of course, is not absent from these accounts, and some—most notably Cross—provide foundational insights into how agency can be dependent on existing state structures and prevailing forms of political power.²¹ What is needed, however, is a full account of the state and its relation to specific forms and manifestations of agency that is sensitive to the dynamics of power that mark the politics of informal economic activity. Key features of the state, including its political processes and institutions, its specific functions and operation, its internal and external networks, its co-optation or repression of independent or oppositional groups, its forms of representation and electoral competition and its implementation urban development programs, deserve further attention for the profound impact they can have on agency, and questions of how and why these change are crucial for a complete understanding of the politics of informality. This thesis therefore offers a full analysis of the how the state evolves over time, how this evolution is tied to questions of political power and how the increasing monopolization of power impacts the agency of informal

¹⁹ Rizzo, Matteo, *Taken for a Ride: Grounding Neoliberalism, Precarious Labour, and Public Transport in an African Metropolis*, Oxford: Oxford University Press, 2017.

²⁰ This literature is explored in Chapter Two, Part II, Section iv.

²¹ See Cross (1998b).

actors in specific ways, with a particular emphasis on the central role that a powerful, self-interested executive and political party can play in these processes.

While it is important to challenge the common depiction of informal actors as either apolitical or passive victims of underdevelopment, it is equally crucial to recognize the significant structural impediments that the poor face as they seek to exercise agency in their efforts to participate in urban development. Placing the agency of informal vendors in its proper political context can balance the need to incorporate the diverse experiences, strategies and objectives of the urban poor into development narratives with the risk of romanticizing their ability to control their political and economic fortunes, and thus offer a more nuanced and complete account of the possibilities and limitations of urban life in the face of various forms of political, economic and social exclusion. The (re)politicization of the informal sphere and the contextualization of the agency of informal actors can have significant implications for both scholarship and policy. Such a task is precisely what this thesis seeks to accomplish.

c) Other Contributions

This thesis makes several secondary contributions to existing scholarship. In particular, it contributes to understandings of the specific forms of political action that it describes. The ability of marginalized groups to use protest,²² clientelism²³ and everyday resistance²⁴ to advance their interests is widely recognized, and outbreaks of popular political action in Sub-Saharan Africa are receiving renewed attention.²⁵ Understanding how and why members of a particularly large segment of the urban poor engage in different forms of political action, and the role that the state plays in shaping the agency surrounding these actions, promises to add important insights to this work.

This thesis similarly explores broader themes surrounding the nature of the state, both in Uganda and beyond. By focusing on the monopolization of power by the executive and ruling

²² Piven, Francis Fox and Richard A. Cloward, *Poor People's Movements: Why they Succeed, How they Fail*, New York: Pantheon Books, 1977.

²³ Gay, Robert, *Popular Organization and Democracy in Rio de Janeiro: A Tale of Two Favelas*, Philadelphia: Temple University Press, 1994.

²⁴ Scott, James C., *Domination and the Arts of Resistance: Hidden Transcripts*, New Haven: Yale University Press, 1990; and Scott, James C., *Weapons of the Weak: Everyday forms of Peasant Resistance*, New Haven: Yale University Press, 1985.

²⁵ Branch, Adam and Zachariah Mampilly, *Africa Uprising: Popular Protest and Political Change*, London: Zed Books, 2015.

party, the politicization of state institutions and offices, constant social and economic encroachment, the extensive use of co-option and repression to minimize opposition and informal negotiation processes that tie the state to large segments of society, its portrayal of the Ugandan state can be viewed in the context of more general literature on the nature of the state in Sub-Saharan Africa that centres on neopatrimonialism,²⁶ corruption,²⁷ personal rule,²⁸ ‘informal’ politics²⁹ and the ‘instrumentalization of disorder’.³⁰ More broadly, it details how those who control the state can use repression³¹ or manipulate electoral politics³² for their own ends, and how the state can evolve over time due to their efforts to (re)assert hegemony in an environment of ostensible political liberalization. By focusing on the politics of informal vending, this thesis provides a valuable counterbalance to ‘top-down’ views of the state by highlighting how the evolution of the state over time is experienced and adapted to by a particularly marginalized segment of the urban poor.

Finally, this thesis adds to existing understandings of the political economy of Uganda by addressing the political significance of informal vending and the complex and constantly changing relationship between informal vendors and the state. Very little has been written about informal economic activity in Uganda, representing a significant gap in the literature surrounding a country where the informal sphere accounts for such a considerable portion of employment and economic output.³³ The nature of the Ugandan state has received more scholarly attention, but rarely in the context of its relationship to the country’s informal economy. The issue of how the state shapes the agency of informal vendors in Uganda has never been explicitly explored. This project

²⁶ Bach, Daniel C. and Mamoudou Gazibo eds., *Neopatrimonialism in Africa and Beyond*, London: Routledge, 2012; Bratton, Michael and Nicolas Van de Walle, “Neopatrimonial Regimes and Political Transitions in Africa,” *World Politics* 46 (4) 1994: 453-489; Le Vine, Victor T., “African Patrimonial Régimes in Comparative Perspective,” *The Journal of Modern African Studies* 18 (4) 1980: 657-673; and Médard, Jean-François, “The Underdeveloped State in Tropical Africa: Political Clientelism or Neopatrimonialism?” in *Private Patronage and Public Power: Political Clientelism in the Modern State*, by Clapham, Christopher ed., London: Frances Pinter, 1982, 162-192.

²⁷ De Sardan, J.P. Olivier, “A Moral Economy of Corruption in Africa?” *The Journal of Modern African Studies* 31 (1) 1999: 25-52.

²⁸ Jackson, Robert H. and Carl G. Rosberg, *Personal Rule in Black Africa: Prince, Autocrat, Prophet, Tyrant*, Berkeley: University of California Press, 1982.

²⁹ Chazan, Naomi, “The New Politics of Participation in Tropical Africa,” *Comparative Politics* 14 (2) 1982: 169-189.

³⁰ Chabal, Patrick and Jean-Pascal Daloz, *Africa Works: Disorder as Political Instrument*, Oxford: International African Institute and James Currey, 1999.

³¹ Davenport, Christian, “State Repression and Political Order,” *Annual Review of Political Science* 10 (1) 2007: 1-23.

³² Schedler, Andreas, “Elections Without Democracy: The Menu of Manipulation,” *Journal of Democracy* 13 (2) 2002: 36-50.

³³ Relevant literature is discussed below, as are specific figures.

addresses the notable lack of attention that the politics of informal economic activity in Uganda receives, and, in doing so, uncovers what these politics reveal about the political economy of Uganda and the Ugandan state more generally.

iv. Case Study Selection

Kampala has been selected as an ideal place to study the politics of informal vending for a number of reasons. The first of these pertains to the politics of the city. Due to the decentralization and democratization programs introduced by the NRM after coming to power in 1986, by 1998, the Kampala City Council (KCC) had come under the control of newly empowered politicians who depended on popular support for their elected positions for effectively the first time in the city's history. The introduction of electoral politics also allowed the popular opposition to dominate the KCC and, due to decentralization, have significant control over policy formation and implementation in the city. On March 1, 2011, however, the central government replaced the elected (and opposition-controlled) KCC with a new body, the Kampala Capital City Authority (KCCA), which is instead structured in a way that invests considerable powers in centrally appointed technocrats. The introduction of the KCCA marks a significant reversal of the NRM's previous decentralization and democratization efforts, and signalled a major transformation of the politics of Kampala as the central government sought to regain control of the city from the opposition. This dramatic (re)assertion of power provides a fascinating environment in which to study the politics of informality.

Informal vendors in Kampala also face frequent attempts by the state to regulate or eliminate their activities and to impose 'development' on the informal sphere. Immediately after its introduction, the KCCA imposed a strict ban on street vending in the city, a move that has led to a significant rise in the persecution of street vendors and a major decline in the occurrence of the activity. The KCCA later announced that it would begin to prosecute customers of informal street vendors as well as the vendors themselves.³⁴ The KCC tried to privatize the city's markets between 2002 and 2007, and while this was unsuccessful, struggles surrounding the ownership and development of markets are ongoing. Both the KCCA and the central government currently have major plans to redevelop markets throughout the city in order to transform them into 'modern' shopping centres. The state is also taking significant steps to promote formalization, including the

³⁴ Mukisa, Farahani, "Kampala Street Buyers Face Arrest – KCCA Says," *Daily Monitor*, 25 August 2013.

introduction of the Taxpayer Registration Expansion Program (TREP), a joint project of the KCCA, the Uganda Revenue Authority (URA), the Uganda Registration Services Bureau (URSB) and local governments;³⁵ the requirement that all persons seeking a licence or official authorization from a government body produce a Tax Identification Number (TIN); and raising the presumptive tax threshold for small businesses.³⁶ These efforts follow a longer trend of state attempts to reduce or regulate informal economic activity that, despite limited success, has resulted in several confrontations between the state and informal actors.³⁷ How informal actors are able to take advantage of the opportunities available to them to further their interests while navigating the policies and actions of the state deserves further analysis.

The national political environment that exists in Uganda is also particularly relevant. Much of the literature on contemporary Uganda emphasizes the prevalence of neopatrimonialism, corruption and informal processes, structures and systems of power in the country, along with the various ways that the NRM or Museveni manipulate both the public and the state for their own purposes.³⁸ The extent to which the Ugandan state combines elements of authoritarianism and democracy to strategically consolidate power in an environment of liberalization has also been highlighted.³⁹ It has been argued that extensive patron-client networks have been able to capture otherwise adversarial groups,⁴⁰ including the country's formal labour movement.⁴¹ State power, however, is not absolute. This results in occasional conflicts between the state and elements of Ugandan society, a reality perhaps most notably demonstrated by a string on contentious elections and the outbreak of the Walk to Work Protests in 2011. The state's continued efforts to repress the

³⁵ Onyango, Emma, "Uganda Tax Agency to Widen Net," *East African Business Week*, 7 April 2014; and Ssempebwa, Allan Kyobe, "Tax Register Expansion Project to Tap into the Informal Sector," *The Observer*, 9 February 2014.

³⁶ Busuulwa, Bernard, "Informal Sector Next Target in Uganda Tax Drive," *The East African*, 20 June 2015.

³⁷ Gombay, Christie, "Eating Cities: Urban Management and Markets in Kampala," *Cities* 11 (2) 1994: 86-94; and Goodfellow, Tom and Kristof Titeca, "Presidential Intervention and the Changing 'Politics of Survival' in Kampala's Informal Economy," *Cities* 29 (4) 2012: 264-270.

³⁸ Tripp, Aili Mari, *Museveni's Uganda: Paradoxes of Power in a Hybrid Regime*, Boulder: Lynne Rienner Publishers, 2010; Asiimwe, Godfrey B., "Of Extensive and Elusive Corruption in Uganda: Neo-Patronage, Power, and Narrow Interests," *African Studies Review* 56 (2) 2013: 129-144; Khisa, Moses, "The Making of the 'Informal State' in Uganda," *Africa Development* 30 (1/2) 2013: 191-226; Muhumuza, William, "From Fundamental Change to No Change: The NRM and Democratization in Uganda," *Les Cahiers d'Afrique de l'Est* 41 (1) 2009: 21-42; Mwenda, Andrew M., "Personalizing Power in Uganda," *Journal of Democracy* 18 (3) 2007: 23-37; and Mwenda, Andrew M. and Roger Tangri, "Patronage Politics, Donor Reforms, and Regime Consolidation in Uganda," *African Affairs* 104 (416) 2005: 449-467.

³⁹ Tripp (2010).

⁴⁰ Mwenda.

⁴¹ Barya, John-Jean, "Trade Unions, Liberalisation and Politics in Uganda," in *Trade Unions & Party Politics: Labour Movements in Africa*, by Beckman, Björn, Sakhela Buhlungu and Lloyd Sachikonye eds., Cape Town: Human Sciences Research Council Press, 2010, 85-107.

opposition also resulted in the passage of the Public Order Management Act, which bans unauthorized public political discussions involving more than three people, in August 2013.⁴² The Ugandan state's employment of various forms of co-option and repression in different contexts creates a fascinating environment in which to study the politics of informal vending.

Second, Uganda has pursued large-scale economic liberalization under the leadership of the NRM, and is widely regarded as a successful example of the virtues of market-based development in Sub-Saharan Africa.⁴³ The impact of economic liberalization on informal economic activity is a widely debated topic, with many believing that market reforms are essential for encouraging formalization and others arguing that liberalization compounds the unequal market integration that characterizes informality.⁴⁴ Paired with the country's economic liberalization are ambitious plans for the development of Kampala under the KCCA,⁴⁵ which too deserve further attention given that similar notions of urban modernity elsewhere frequently exclude or involve the repression of informal vendors.⁴⁶ Kampala provides an excellent environment in which to explore issues surrounding liberalization, development and informality, many of which this project will touch upon in its examination of the state and vendor agency.

Finally, Kampala presents an ideal setting in which to study informal economic activity due to the prevalence of informality in the city. The Uganda Bureau of Statistics (UBOS) estimated that 52.2% of non-agricultural employment in the city in 2009/2010 was in the informal sphere, meaning that the majority of people who work in Kampala do so in the informal rather than formal economy.⁴⁷ Some informal activities are so widespread and visible that they are defining features of the city's economic, social, political and physical landscape, including *boda-boda* (motorcycle taxi) driving, work in the *matatu* (minibus) industry and, as this thesis examines, street and market vending. Before the KCCA introduced its ban on street vending, approximately 8,500 street

⁴² "The Public Order Management Act," 2013.

⁴³ For an overview of economic liberalization in Uganda, see: Kuteesa, Florence, Emmanuel Tumusiime-Mutebile, Alan Whitworth and Tim Williamson eds., *Uganda's Economic Reforms: Insider Accounts*, Oxford: Oxford University Press, 2010; and Reinikka, Ritva and Paul Collier eds., *Uganda's Recovery: The Role of Farms, Firms and Government*, Washington D.C.: The World Bank, 2001.

⁴⁴ The first position is perhaps best presented in De Soto. The second view is advanced in Portes, Castells and Benton eds.

⁴⁵ "Strategic Plan 2014/15-2018/19: Laying the Foundation for Kampala City Transformation," Kampala Capital City Authority, 2014.

⁴⁶ Bromley (2000); and Setšabi and Leduka.

⁴⁷ "Uganda National Household Survey 2009/2010: Abridged Report," Uganda Bureau of Statistics, November 2010, 41.

vendors operated in Kampala;⁴⁸ despite the KCCA's ban, hundreds or even thousands remain.⁴⁹ Market vending is even more ubiquitous, and likely involves around 150,000 people.⁵⁰ In a city with a population of 1,936,000 people in 2015,⁵¹ the significance of markets as centres of economic activity is obvious.

Similarly, as in other developing states, informal economic activity is widespread in Uganda, constituting a large portion of the country's economy. Uganda's informal sphere accounts for over 48% of the country's gross domestic product (GDP)⁵² and, according to the UBOS's 2009/2010 report, 58% of all of its non-agricultural employment.⁵³ These figures are likely increasing as well, as the UBOS claims that Uganda's informal sphere is currently growing more quickly than its formal counterpart.⁵⁴ The combination of widespread informality and extensive economic liberalization that exists in Uganda has significant implications; perhaps most notably, the Ugandan government only takes in 11.9% of the country's GDP as annual revenue,⁵⁵ the lowest share in Sub-Saharan Africa and far below the regional average of 17%.⁵⁶

Despite its size, Uganda's informal economy has received limited attention from scholars and policymakers. The UBOS included a section on informal economic activity in the 2009/2010 edition of its National Household Survey, but this was mainly for the purpose of statistical measurement and reveals little about how Uganda's informal sphere actually operates or the

⁴⁸ Lambright, Gina M. S., "Opposition Politics and Urban Service Delivery in Kampala, Uganda," UNU-WIDER, Working Paper No. 2012/51, May 2012, 22.

⁴⁹ It is extremely difficult to provide an accurate estimate of the number of street vendors in Kampala. One of the main reasons for this is the fact that, as this thesis details, the total figure fluctuates considerably over time as vendors occupy and vacate the city's streets due to changing political circumstances. An estimated 1,900 street vendors were operating in the city centre before the most recent evictions began in October 2016, but this figure was likely high given the increase in street vending that occurred around the 2016 elections. See "Vendors Must Leave Kampala Streets- Museveni," *Daily Monitor*, 4 November 2016.

⁵⁰ This figure is estimate based on the research undertaken for this thesis. Also see Figure 3 below.

⁵¹ "World Urbanization Prospects: The 2014 Revision," United Nations, Department of Economic and Social Affairs, New York, 2015, 345.

⁵² Calculated from "2015 Statistical Abstract," Uganda Bureau of Statistics, October 2015, 232-233. For different estimates, see: Kibelebele, Winnie Tabitha, "Informal Sector Now Growing Faster, Says Ubos," *Saturday Monitor*, 14 February 2014; Nantaba, Agnes E., "Informal Business Taxes Start to Bite," *The Independent*, 24 August 2015; Schneider, Friedrich, "The Shadow Economy and Work in the Shadow: What Do We (Not) Know?" The Institute for the Study of Labour, Discussion Paper No. 6423, March 2012, 64; and Schneider, Friedrich, Andreas Buehn and Claudio E. Montenegro, "Shadow Economies All over the World: New Estimates for 162 Countries from 1999 to 2007," The World Bank, Policy Research Working Paper 5356, July 2010, 20, 22, 27, 29 and 47.

⁵³ "Uganda National Household Survey 2009/2010", 41.

⁵⁴ Kibelebele.

⁵⁵ "The Growth Challenge: Can Ugandan Cities Get to Work?" Uganda Economic Update, Fifth Edition, The World Bank Group, Report No. 94622, February 2015, 14. Figure for 2014/15 fiscal year.

⁵⁶ Kibelebele. It is claimed here that the government takes in 12.7% of GDP as revenue. The lower figure of 11.9% is cited in this study because the source is more recent.

realities that informal actors experience.⁵⁷ A similar chapter was notably absent from the following National Household Survey for 2012/2013.⁵⁸ Work by the World Bank has also addressed the topic of informality in Uganda, but not in the context of the themes explored in this thesis.⁵⁹ A small number of academics have studied Uganda's informal sphere, and some have specifically focused on informality in Kampala, but this work, while valuable, remains conceptually and thematically distinct from this thesis.⁶⁰

Kampala therefore presents an ideal environment in which to study the politics of informal vending.

v. *Definitions*

It is necessary to define some key terms for conceptual clarity and analytical utility. Since this thesis examines how the state shapes the agency of informal vendors, three central terms are defined here: informal economic activity, the state and agency.

a) Informal Economic Activity

This study defines informal economic activity as any otherwise legal income generation outside of the official regulatory and revenue apparatus of the state. Three aspects of this definition are particularly important: that some form of monetary payment is involved, thereby excluding barter systems and subsistence agriculture; that the goods and services being traded are themselves legal, meaning their 'informal status' surrounds the conditions under which they are sold; and that what renders them 'informal' is the failure or refusal to adhere to at least some, but by no means all, of the legal requirements for official registration, regulation and taxation set by the state. The political dimensions of informality are thus implicit in the concept itself, which by its very nature

⁵⁷ "Uganda National Household Survey 2009/2010".

⁵⁸ "Uganda National Household Survey 2012/13," Uganda Bureau of Statistics, 2014.

⁵⁹ See, for example: Bakeine, Amos, "Uganda Country Study Report: Raising Productivity and Reducing the Risk of Household Enterprises," The World Bank, Kampala, December 2009; Fox, Louise and Obert Pimhidzai, "Is Informality Welfare-Enhancing Structural Transformation? Evidence from Uganda," The World Bank, Policy Research Working Paper 5866, October 2011; and Ingram, Michael, Vijaya Ramachandran and Vyjayanti Desai, "Why do Firms Choose to be Informal? Evidence from Enterprise Surveys in Uganda," The World Bank, September 2007.

⁶⁰ See, for example: Lindell, Ilda and Jenny Appelblad, "Disabling Governance: Privatisation of City Markets and Implications for Vendors' Associations in Kampala, Uganda," *Habitat International* 33 (1) 2009: 397-404; Lince, Sarah, "The Informal Sector in Jinja, Uganda: Implications of Formalization and Regulation," *African Studies Review* 54 (2) 2011: 73-93; Gombay; and Goodfellow and Titeca. This work, and how it differs from this thesis, is explored in Chapter Two.

presupposes a certain degree of power and holds the state as its ultimate reference point in distinguishing between ‘formal’ and ‘informal’ activities. While some contend that the concept of the informal economy—sometimes referred to as the ‘informal sector’ or the ‘grey’, ‘shadow’ or ‘underground’ economy⁶¹—is poorly defined, or even that broad definitions fail to capture significant variations that can exist both within and between countries,⁶² the definition that is employed here is standard across existing literature.

This thesis focuses on informal vending, a subset of informal economic activity that involves the commercial sale of goods and services for monetary profit. Two types of informal vendors are specifically studied here. The first is market vendors, who operate within permanent built-up market areas throughout the city. Market vendors must pay various fees for access to the land and/or structures that they use. Markets in Kampala are either ‘gazetted’, meaning they are officially recognized by the state and the land on which they sit is designated for market use, or ‘ungazetted’, meaning that they lack official recognition and do not occupy designated market space. Ungazetted markets are usually smaller and found outside of the centre of the city, while, with the exception of Park Yard Market, the major markets in the city centre are all gazetted (the implications of Park Yard’s status are addressed in this thesis).

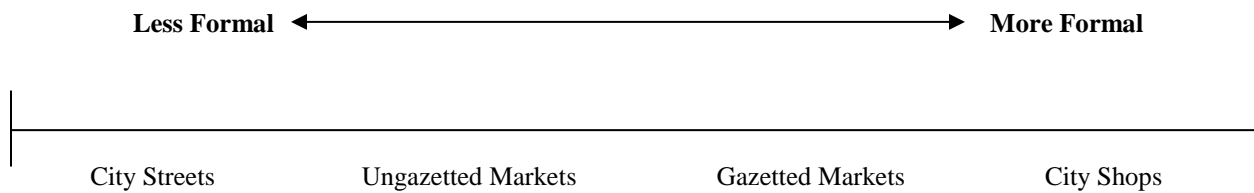
Street vendors constitute the second category of informal vendors studied in this thesis. In contrast to market vendors, street vendors operate outside of established market areas and instead sell in open public spaces, commonly the busy streets in the centre of the city. As a result, street vendors, unlike market vendors, are not confined to designated areas and pay for no rights of access. Much of the relevant literature does a poor job of distinguishing between market and street vendors, but separating the two is particularly necessary in Kampala as street vending is now illegal. Street vendors are sometimes further divided into three different categories: (1) mobile ‘hawkers’ who move around the city; (2) vendors who remain stationary when selling their goods; and (3) vendors who establish small kiosks on city streets. All of these categories are included when referring to street vendors in this study (although street vendors who remain in the city centre rarely erect kiosks). The KCCA’s ban applies to all forms of street vending.

⁶¹ This study favours the terms ‘informality’, ‘informal economy’, ‘informal economic activity’ and ‘informal sphere’ as ‘informal sector’ can be taken to imply that informality and formality are separate and distinct when, in reality, there is a significant amount of overlap between the two. It also avoids the terms ‘grey’, ‘shadow’ and ‘underground’ as they are often used to mystify the concept rather in a way that is unhelpful for analysis.

⁶² Mead, Donald C., “The Informal Sector Elephant,” *World Development* 24 (10) 1996: 1611-1619.

Rather than a simple ‘formal/informal’ binary, it is more appropriate to understand the relationship between different types of vending by placing them on a continuum that recognizes relative levels of adherence to relevant forms of regulation and taxation. Figure 1 classifies different types of vending according to location and places them on a scale that ranges from ‘less’ to ‘more’ formal:

Figure 1: Formal/Informal Vending Continuum



Street vending is classified as the ‘least’ formal form of vending since street vendors, by definition, do not adhere to official regulations on where and how goods can be sold. The introduction of the KCCA’s ban on street vending has deepened the informality of the activity even further. Because street vending is an illegal activity, vendors are also unlikely to register their businesses or pay taxes on their incomes. Vending in ungazetted markets is more formal than street vending because it is not illegal, but less formal than vending in gazetted markets because it does not adhere to state regulations on where market activity can take place. The fact that gazetted markets are recognized by the state means that they are, in important ways, not themselves informal, but are rather sites where informal economic activity is particularly concentrated given that market vendors often do not abide by business regulations—particularly those concerning registration and licensing—or pay business taxes. Finally, some vendors in city shops operate informally by, like many market vendors, failing to follow official regulations and pay necessary taxes. While doing so may be less common in city shops than it is in markets, the distinction between the two vending locations is less concrete than often assumed.

The fact that the state holds the ultimate authority to signify whether an activity is ‘informal’ or ‘formal’ means that common classifications reflect state developmental ambitions and understandings of modernity. As this thesis explores, both street and market vending are treated as informal because they are seen by the state as ‘out of place’ in a supposedly modern

urban landscape and economy.⁶³ Thus even gazetted markets, despite their official recognition, are widely viewed as informal due to their failure to meet standards of construction, organization, cleanliness and aesthetics. For the state, informality is a problem to be solved through such measures as banning street vendors, transforming markets into ‘modern’ shopping centres and ensuring that all vendors are subject to business regulations and taxes. This thesis examines these aspirations and the implications of other forms of state power.

b) The State

The term ‘the state’ is used in this thesis to refer to the collection of government institutions, offices, legal arrangements and political processes that exist in Uganda from the local to the national level. The significance of the state is particularly emphasized in relation to the extent to which the President and the NRM have sought to entrench their political power by strengthening their grip on its offices, processes and institutions, blurring the lines between, on the one hand, the Ugandan state as an independent political entity, and on the other, the executive and political party that lead the government. This expansion of power has taken many forms: the design of non-inclusive institutions that are subject to a high degree of centralized control; the undermining and takeover of government bodies that are independent or controlled by the opposition; the marginalization of elected officials (particularly those who do not belong to the ruling party) in decision-making processes; the creation and proliferation of extensive personal networks and channels of influence outside of official state structures; the restriction of space for the opposition and independent civil society groups through repression and/or co-option; and attempts to influence electoral outcomes through overtly populist appeals, manipulation and the use of state resources for patronage purposes. In Kampala, this expansion of power has often been underpinned by the logic of urban management and development, with the ability to oversee development serving as a central component of Museveni’s legitimacy and that of the ruling party.

c) Agency

The concept of agency is used in this thesis to refer to the ability of informal vendors to act in accordance with their self-defined interests. Specifically, this thesis focuses on vendors’ agency

⁶³ Inspired by Yamto, Yandi Andri, “Street Vendors as ‘Out of Place’ Urban Elements,” *Journal of Urban Design* 13 (3) 2008: 387-402.

in terms of their ability to act in ways that allow them to participate in the city's otherwise exclusionary urban economy and development processes.

This thesis focuses on three ways in which the agency of informal vendors becomes manifest: through exercising political influence; through forming and/or participating in organizations that are designed (at least officially) to advance their interests; and through acts of small-scale resistance to repression and/or co-option efforts by the state.⁶⁴ These can be defined as follows:

1. *Influence*: the ability to impact the creation and implementation of policy or, more generally, the actions of politicians and state officials.
2. *Organization*: the ability to establish and/or join vendors' groups that focus on self-governance, advocacy, legal and human rights protections, mutual assistance and/or, in the case of market associations, the management and development of the spaces in which vendors operate.
3. *Small-Scale Resistance*: the ability to contest repression and/or co-option efforts through everyday activities or in daily interactions with politicians and state officials.

Part III: Methodological Approach

This study employs a qualitative approach that is primarily centred on the use of semi-structured interviews, but also employs surveys, some participant observation and documentary analysis in order to strengthen or expand on information and themes raised by interview respondents. It is methodologically organized as follows.

i. Research Design

Data for this project was primarily collected during two phases of fieldwork in 2015, the first in February and March, and the second in July and August.

a) Interviews

In total, I conducted individual or group interviews with 134 different people, some of whom were interviewed more than once. Respondents can be divided into five categories:

⁶⁴ Each of these is can be identified in the literature on agency in the informal sphere explored in Chapter Two.

1. State officials, including local and national politicians and members of bureaucratic institutions (nine people).
2. Representatives of organizations formed by informal vendors, including market associations and street vending groups (37 people).
3. Informal market and street vendors, whether members of vendors' organizations or not (66 people).
4. Leaders and/or members of civil society organizations that address issues of importance to this thesis, particularly informal economic activity, formal business interests and governance (eight people).
5. Other individuals who were able to provide valuable insights for this thesis, including lawyers, moneylenders, journalists, customers of informal vendors, informal actors other than vendors and vendors in shops outside of the city's markets (14 people).

A large majority of respondents (103) were, for obvious reasons, informal street or market vendors. A full list of interviews is provided in Appendix A of this thesis.

The questions that interview subjects were asked varied between, and even within, these five categories, and were largely tailored to individual respondents. Questions were designed to explore the central themes and topics of this thesis, surrounding, in general terms, the nature of informal economic activity and issues that surround it; the state and its relation to informal vending; and specific details about the history and politics of street vending and particular markets under study. Because interviews were semi-structured, new lines of questioning and topics of conversation frequently emerged while interviews were being conducted, allowing for points of particular interest to be expanded upon or pursued.

Interview subjects were selected through convenience sampling. Convenience sampling remains the best alternative when random sampling is impossible, and although this entails a certain degree of bias in the fact that the probability of being selected may be influenced by such factors as visibility and personal connections, where possible, every effort was taken to maximize the diversity, and thus representativeness, of respondents.

b) Surveys

Surveys were also distributed to a total of 128 vendors throughout the three main markets that this thesis focuses on (see below). Unlike the interviews undertaken during fieldwork, these surveys posed a standard and unchanging set of questions. This allowed for large amounts of information to be collected in key settings to complement insights gathered from interviews, making it possible to develop a broader picture of informal markets and to explore variations within and between them. The survey was designed to capture some of the main characteristics of market vending and to provide further insight into the internal divisions that exist within markets that are explored in Chapter Five. It was a single page, and divided into two sections. The first asked for basic information about the respondent and his or her socioeconomic position. The second section provided space for short answers to questions about a respondent's entry into a market, the challenges he or she faces as an informal vendor and his or her involvement, if any, in market politics. This survey is reproduced in full in Appendix B at the end of this thesis, and macro data for survey respondents can be found in Appendix C.

The distribution and collection of surveys was aided by two research assistants whom I met during fieldwork. One of these research assistants also helped to translate survey questions from English to Luganda before distribution, and this assistant, along with a third person, helped to translate answers from Luganda to English following collection. Since written responses were usually limited to only a few words, a respondent could easily complete the survey in less than five minutes. When respondents were unable to read or write, and therefore required assistance to complete the survey, survey questions were read aloud and answers filled in according to the responses provided. Like interview respondents, survey respondents were selected through convenience sampling.

These surveys are not intended to capture a representative picture of market vendors in Kampala, but rather to provide a more detailed glimpse into some of the divisions that exist within markets that were originally identified during interviews. They revealed the internal heterogeneity and complexity of markets, and to shed light on the axes of difference that fuel market politics and entrench conflicts. Representative sampling is not necessary to achieve such a goal.

c) Participant Observation

Although fieldwork for this thesis was primarily based on semi-structured interviews and, to a lesser extent, surveys, limited participant observation was also employed. This took the form of spending extended periods of time with street and market vendors—particularly the former—in order to more fully understand the nature of informal vending and the experiences of those involved in it. Participant observation was principally used as a means of witnessing some of the strategies that street vendors employ to remain on the city's streets, which are detailed in Chapter Four of this thesis. These strategies were also outlined in interviews, but viewing them firsthand presented an opportunity to further understand when and how they are used, what they specifically entail and what effects they have. More generally, participant observation allowed for significant insights into the daily lives of informal vendors, including how and how often vendors interact with their customers, the general public and each other, and, crucially for street vendors, how they are treated by KCCA officials. Such work only constituted a small part of the fieldwork undertaken for this thesis, but nevertheless enriched some of the core empirical findings offered by interviews and surveys.

d) Documentary Analysis

Documentary analysis played an important role in the research undertaken for this thesis. It was primarily employed in two ways. First, major pieces of legislation and government documents were analyzed as a means of tracking how the nature and constitution of the state, as well as key internal state structures and policies, have evolved over time. This analysis plays an essential role in the descriptions of the evolution of the Ugandan state presented in this thesis, and in considerations of how, specifically, political changes at both the national and local level have shaped the agency of informal vendors. Second, a comprehensive search through the archives of the country's two largest daily newspapers, *New Vision* and *The Daily Monitor*, was conducted in order to clarify, expand on and fill in certain gaps of information collected during the fieldwork for this thesis. By complementing my fieldwork findings, this archival material played an essential role in allowing me to reconstruct a history of informal vending in Kampala and to tie together the narratives that are at the core of this thesis.

ii. *Fieldwork Sites*

Fieldwork sites for researching informal vendors in Kampala were chosen according to two obvious criteria: (1) where the activities under study are most concentrated; and (2) where the political issues surrounding them are particularly prominent. Interviews with state officials, members of civil society groups and other key individuals were undertaken throughout the city.

a) *Street Vendor Research Sites*

The city of Kampala is organized into five divisions: Kampala Central Division (the city centre), Kawempe Division (north), Lubaga Division (west), Makindye Division (south) and Nakawa Division (east). These divisions are made up of smaller areas that are commonly referred to in local geography. The street vendors that I study are all located in Nakasero, which makes up a considerable portion of Kampala Central Division and is, with major government buildings and the city's Central Business District, the city's political and economic centre, and Kisenyi, an adjacent built-up area to the southwest of Nakasero. Both are prime areas for street vendors in Kampala and, particularly Nakasero, places targeted by authorities in their efforts to remove vendors from the city's streets. Specifically, the general area in which street vendors were studied can be defined as follows:

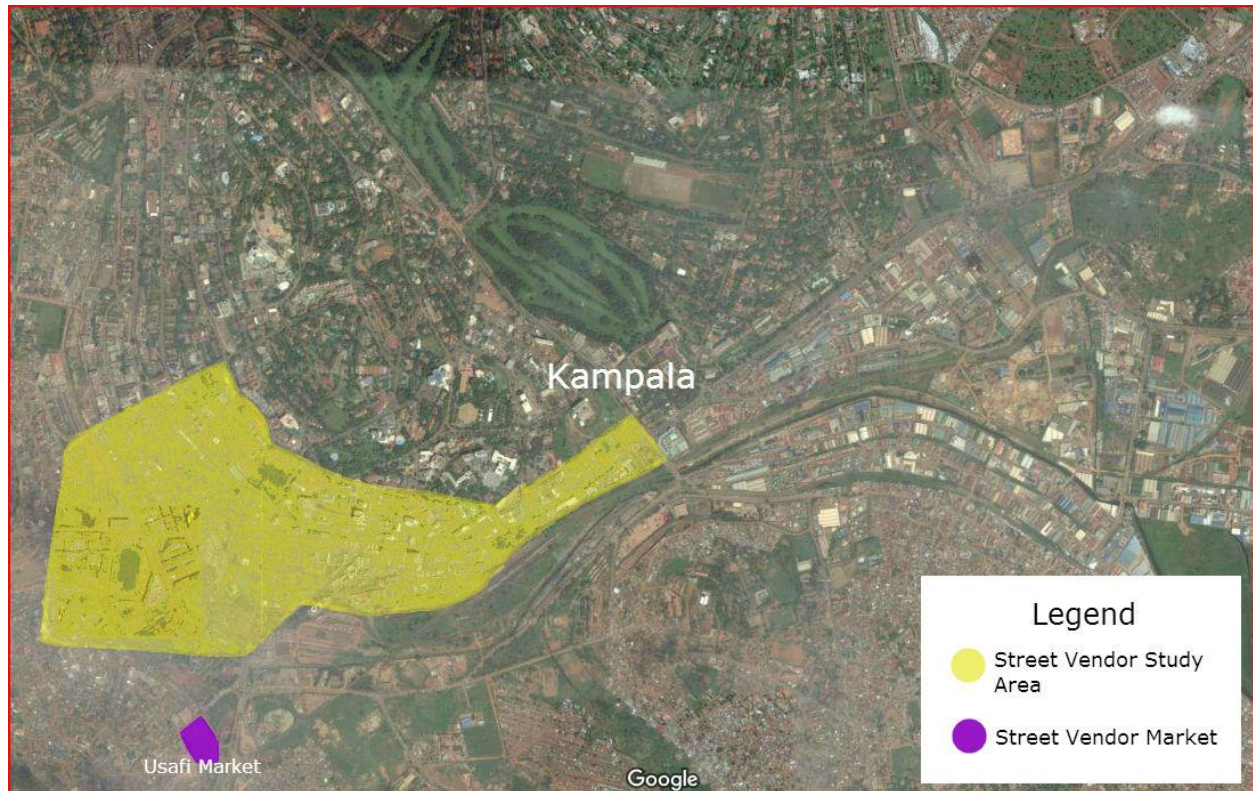
- At its northern limit, a series of lines that connect Kyagwe Road, Lumumba Avenue, Speke Road, Kimathi Avenue, Parliamentary Avenue and De winton Street;
- At its eastern limit, the section of Yusuf Lule Road that connects De winton Street to Jinja Road;
- At its southern limit, a series of lines that run along Jinja Road, Nasser Road and Entebbe Road to the traffic junction where Entebbe Road meets Nakivubo Place Road, and then continues to a point immediately to the west of the northern end of Owino Market; and
- At its western limit, a line that connects the point to the west of Owino Market to the beginning of Kyagwe Road.

The other primary research site for street vendors is Usafi Market in Katwe, an area that is immediately south of the eastern portion of Kisenyi. Although Usafi is a market, it is considered here because it was established by street vendors and the KCCA as a site for street vendors to

relocate to in order to comply with the KCCA's ban on street vending. It is the only market in Kampala that was set up for this purpose.

These research sites are illustrated in Figure 2 below:

Figure 2: Street Vending Research Sites⁶⁵



b) Market Vendor Research Sites

Unlike street vendors, market vendors are, obviously, located in a finite number of easily identifiable markets of varying sizes throughout the city, making the selection of research sites much easier. There are 72 informal markets in Kampala, ten of which have at least 1,000 vendors.⁶⁶

⁶⁵ Figure created by the author based on a satellite image generated by Google Maps.

⁶⁶ Email interview, KCCA spokesperson, 12 February 2016.

Figure 3: Markets in Kampala with 1,000 Vendors or More (brackets indicate displacement due to redevelopment)⁶⁷

Market	Number of Vendors
Owino Market	Over 50,000
Park Yard Market	(25,000)
Nakasero Market	23,000
Nakawa Market	Over 10,000 ⁶⁸
Kisekka Market	(Over 10,000 ⁶⁹)
Natete Market	2,400
Bugolobi Market	1,850
Wandegeya Market	1,034
Usafi Market	Over 1,000 ⁷⁰
Mukono Market	1,000
Total:	Over 125,284

⁶⁷ Most of the figures below, unless otherwise stated, are taken from “Kampala District,” Development Initiatives International, accessed 6 July 2015, <http://www.dii.co.ug/index.php/where-we-work/kampala-district>. Exactly how this organization arrived at these figures is unknown, so they are almost certainly estimates, especially because markets are very rarely systematically studied. Still, similar figures are often cited elsewhere. Figures in brackets represent the number of vendors before displacement.

⁶⁸ Lindell and Appelblad, 401. Development Initiatives International (DII), the Ugandan civil society group that these figures are taken from, lists 5,000 vendors in Nakawa Market. Lindell and Appelblad’s figure is used here due to their detailed study of the market.

⁶⁹ Mukisa, Farahani, “Kisekka Market Demolished,” *Daily Monitor*, 24 December 2014. DII does not list Kisekka Market, likely because, as the article cited here details, the market has recently been demolished for a development process that this thesis explores.

⁷⁰ Mulondo, Lawrence and Juliet Waiswa, “KCCA Demolishes Usafi Market Stalls,” *New Vision*, 11 June 2015.

This study focuses on three of these markets: Owino Market, located in Kisenyi, Kampala Central Division; Kisekka Market in Nakasero, Kampala Central Division; and Nakawa Market in Nakawa Division.

Market 1: Owino

With over 50,000 vendors, Owino Market is the largest informal market in Kampala, the largest in Uganda and one of the largest in East Africa.⁷¹ Owino was founded in 1971 when 300 vendors left Nakasero Market due to overcrowding, and now covers approximately eight acres between Nakivubo Place Road and Kafumbe Mukasa Road in an area immediately south of Nakivubo Stadium. Owino itself has since become overcrowded, causing some vendors to leave and establish the adjacent Park Yard Market in the previously unoccupied space that surrounds Nakivubo Stadium. In 2009, an article in *New Vision*, the country's leading daily newspaper, claimed that an estimated 200,000 people visit Owino and/or Park Yard every day, highlighting the central role that Owino plays in the city's economy.⁷²

Owino Market was officially renamed St. Balikuddembe Market in October 2001.⁷³ It is still commonly referred to by its original name, however, so the former is used in this thesis.

Market 2: Kisekka

Kisekka Market lies less than one kilometre north of Owino on a plot of land off of Kyagwe Road between the Nakivubo Channel and Nakivubo Road. The market was founded in 1994 when vendors relocated to the site after being displaced by the construction of the city's New Taxi Park, and named after the nearby Kisekka Hospital, which was itself named after Samson Kisekka, the Vice President at the time who had formerly served as Prime Minister. Kisekka is particularly known for selling vehicle parts and offering repairs, a specialty that distinguishes it from other major markets in the city. As this thesis details, Kisekka Market was demolished in December 2014 to begin a major redevelopment process, displacing the market's vendors as reconstruction takes place. The redevelopment process, however, has faced major delays, and at the time of

⁷¹ The descriptions of Owino, Kisekka and Nakawa presented here are based on fieldwork.

⁷² Mugisa, Anne, Florence Nakaayi and Juliet Waiswa, "The History of Park Yard Market," *New Vision*, 25 February 2009.

⁷³ Namutebi, Joyce, "Owino Market Now St Balikuddembe," *New Vision*, 29 October 2001.

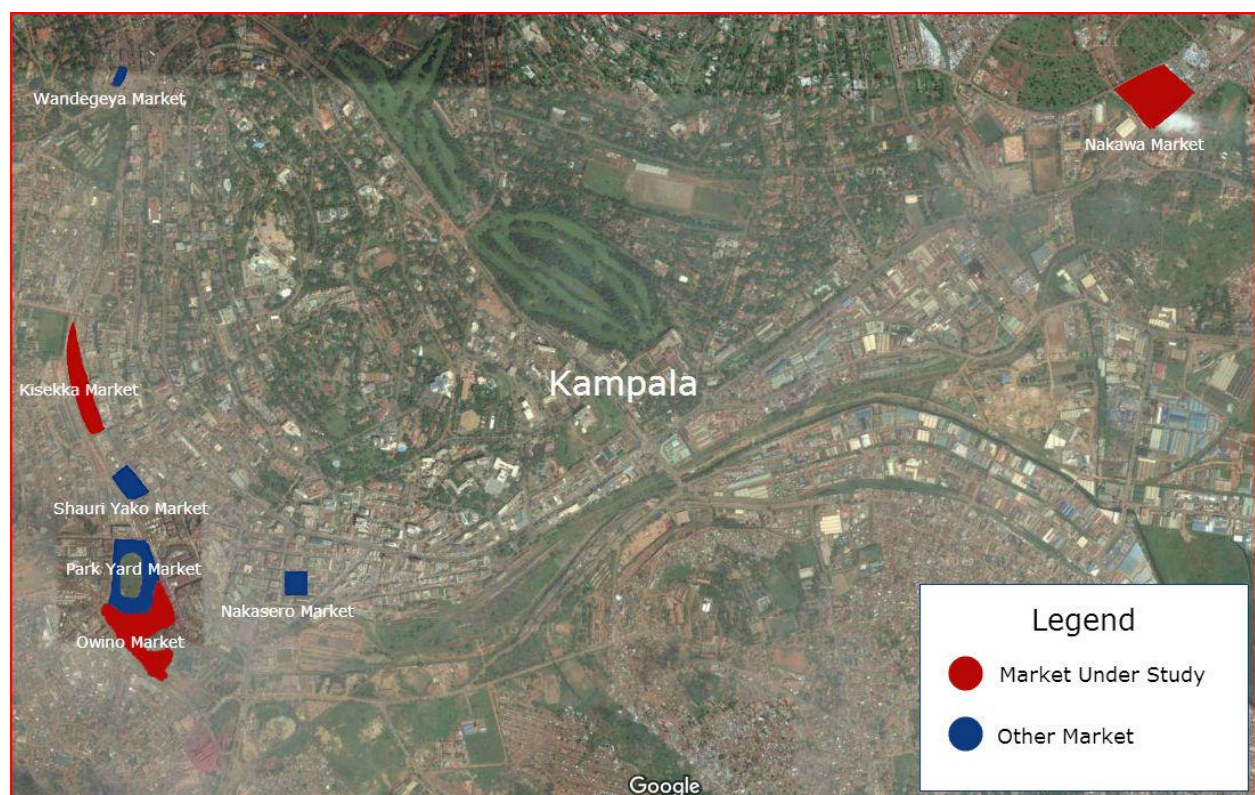
research and the time of writing, the 3.7 acre plot of land on which the market sat remains a fenced-off construction site where little work has taken place.

Market 3: Nakawa

Nakawa Market is the largest market in Kampala outside of the city centre, and is located 2.65 kilometres to the east of Nakasero on Jinja Road. Founded in 1975, the market now has more than 10,000 vendors and covers an area of over eight acres. Nakawa Market is perhaps most notable for selling fresh fruit and vegetables, linking it, like many of the informal markets in the city, to the country's significant agricultural sector.

These three markets, along with other important markets in the city centre, are illustrated in Figure 4 below:

Figure 4: Market Vendor Research Sites⁷⁴



⁷⁴ Figure created by the author based on a satellite image generated by Google Maps.

In regard to the first criteria for selection stated above, Owino, Kisekka and Nakawa are three of the five largest markets in the city, together containing over 70,000 market vendors.⁷⁵ As for the second, each of these markets had a different experience during the city government's market privatization program, and each is now involved in major disputes over ownership and development: in Owino Market, one group with close ties to the State House is leading a development project that is opposed by another group; in Kisekka Market, a disputed development project has progressed to the point where the market has been demolished for reconstruction; and in Nakawa Market, disputes between groups of vendors has led to a takeover by the KCCA.

The selection of these three markets is not to suggest that other markets are not worthy of similar attention. Park Yard and Nakasero are obvious other candidates given their size and the fact that they too are experiencing ongoing conflicts surrounding ownership and development, but most of the features of these conflicts are similar to what can be observed at Owino, Kisekka and Nakawa, meaning their analysis is not necessary to further the arguments of this thesis. Other markets that are particularly important for understanding the themes addressed in this thesis are briefly discussed where necessary. The three markets under study, with all of their differences, have been chosen as representatives of all the city's markets, with the conflicts that define them playing out in different ways to different degrees throughout Kampala. The political issues that can be observed at Owino, Kisekka and Nakawa may be particularly prominent and instructive, but they are nevertheless ubiquitous.

iii. Practical Issues

All non-Ugandan citizens wishing to undertake research in Uganda are required to obtain approval from the Uganda National Council for Science and Technology (UNCST). A successful application must be endorsed by an organization in Uganda. Based on contacts established through the Cambridge-Africa Partnership for Research Excellence (CAPREx) initiative, I was able to obtain support for my application from Makerere University. This connection not only aided in the approval of my research permit, which was done with minimal delay, but also facilitated certain introductions during the course of my fieldwork with those who were familiar with the institution and seemingly believed that my ties to it gave my project a greater degree of local legitimacy.

⁷⁵ Before the displacement caused by Kisekka's demolition.

Still, in general, there are significant difficulties involved in the study of informal economic activity. Issues of access were of particular concern. When I began this project, the only obvious entry point I had into Uganda's informal economy was through a handful of larger civil society groups that I was able to identify from extensive internet searches, and even some of these proved difficult to get in touch with due to, in some cases, inadequate or out of date contact information, or, in others, a lack of response to repeated research requests. Fortunately, the relatively few contacts I was able to establish before beginning my fieldwork proved to be extremely helpful once I actually arrived in the country, and not only took part in interviews and invited me to organization meetings, but also showed me potential research sites, provided me with contacts and facilitated introductions. My familiarity with Uganda's informal sphere, and my contacts within it, rapidly expanded as a result.

The introductions that my first contacts supplied me with were essential for persuading informal actors to participate in my project. Many were initially somewhat reluctant, a stance that is understandable given, for street vendors, the legal status of their economic activities and, for all informal vendors, their common political, social and economic marginalization. My position as a researcher with whom they were not familiar and who occupied the role of an 'outsider' in both the informal sphere and the country as a whole likely did little to assuage such sentiments. Two concerns were commonly voiced. Some were sceptical of the true intentions of my work, fearing that I was only seeking financial gain for myself at their expense or that I was actually a political agent who wished to 'spy' on their activities in the interests of some distrusted power. Others wanted to know how I intended to 'help' them. In all cases, however, I was able to overcome these initial concerns, frequently with the help of the person facilitating the introduction (although the brief disappointment of those who hoped that my work would be of more assistance to them was evident). This allowed me to begin building relationships and establishing trust, and while this often took time, it always led to fruitful results.

Once these relationships were established, I encountered few unexpected obstacles. Indeed, some difficulties that I anticipated never really materialized. Perhaps most notably, language ultimately did not prove to be a significant barrier to interacting with informal vendors. The majority of people I spoke to, either in interviews or while undertaking participant observation, had an adequate command of English, and many spoke it fluently. In instances where English was not sufficient and conversations were held in a different language—primarily Luganda—I was

always accompanied by the person who facilitated the introduction and who was able to serve as an *ad hoc* translator. My initial concern that respondents might be unwilling to discuss potentially sensitive political issues also proved to be unfounded, as many brought up politics with little or no provocation. I quickly learned, in fact, that politics are inseparable from seemingly all aspects of informal economic activity in Uganda, and are central to the ways that informal actors articulate their experiences. This reality exposed me to new and unexpected dimensions of my research topic, significantly benefiting my project as a whole.

After obtaining entry into chosen research sites, the major practical issue that I faced when conducting my research concerned the illegality of street vending. I spent a considerable amount of time conversing with and observing street vendors, often staying with them for extended periods throughout the day as they worked. Although I was not engaging in illegal activity myself, and had a permit to conduct my research, I remained conscious of the fact that I was inserting myself into an environment in which state repression is common. While I witnessed some arrests and goods being confiscated, vendors that I was talking to were never harassed by authorities in my presence, even if they did, at times, conceal their goods and walk away as authorities approached. I was never questioned by any authorities about my research.

iv. Ethical Concerns

The study of informality also raises important ethical issues. The legal status of informal economic activities places them in a relationship with state power that is essential for the researcher to respect in the collection and analysis of empirical data. All research subjects were informed of the nature of this study and given the option to remain anonymous. In instances where the activity is fully criminalized by the state—namely, street vending—I have intentionally kept certain details about research subjects, sites and schedules vague to protect the identities of those involved. Doing so has not, I believe, in any way compromised the integrity or clarity of the contents of this thesis.

Significant ethical considerations also surround the representation of the responses of informal actors. Researchers are in a power relationship with their subjects of study, particularly, as in the case of this study, when those subjects are otherwise marginalized. The researcher must reproduce all responses as accurately as possible to avoid reinforcing existing patterns of silencing and exclusion. Compounding this problem, of course, is the fact that interviews are not inherently neutral and are subject to the biases of the researcher when they are designed, undertaken and used

for analysis. The nature of the questions being asked can influence the responses given, and these responses, in turn, can be distorted by being interpreted within the context of the author's arguments. To deal with these problems, the questions that were asked were constructed in a way that seeks to balance open-endedness with a focus on the issues and concepts that are central to this project. Leading questions were avoided. Every effort has been made to be faithful to the respondent's intentions in his or her answer. While it is perhaps not possible to eliminate all of the biases that affect scholarly research, these can nevertheless be minimized. Due care is taken to ensure that this is done here.

Part IV: Thesis Outline

This thesis is organized as follows. After this introductory chapter, Chapter Two explores the existing scholarly literature that is relevant to the themes addressed in this thesis. It begins by examining the separate bodies of work that exist surrounding the Ugandan state and informal economic activity in Uganda. It then explores the broader literature on informal economic activity, including the relationship between informal vending and the state, early approaches to informal economic activity, neoliberal perspectives on informality and other treatments of the agency of informal actors. Three ways in which informal actors commonly exercise agency are identified: by taking advantage of state structures and/or specific political conditions to exert political influence; by forming and/or participating in organizations that aim to advance collective interests; and by employing small-scale resistance strategies. The chapter concludes by situating this thesis within the literature discussed and considering its contributions to current scholarly trends and debates.

Chapter Three provides an overview of Uganda's informal economy and its relationship with the state in order to properly contextualize the arguments presented in this thesis. It particularly focuses on informal vending in Kampala. General details about informal street and market vending are provided, including their key characteristics, issues surrounding entry, the livelihoods that they support and their linkages with the formal economy. It then provides a historical and contemporary overview of the role that the state has played and continues to play in creating, sustaining or otherwise shaping informality in both Kampala and Uganda more generally. Six topics are specifically addressed: the history of colonial planning in Kampala; Uganda's post-independence history of poor governance, instability and conflict; the country's extensive

economic liberalization; internal geographic trends of development that have fuelled urban growth in Kampala; the country's tax system; and the self-interest of state officials who gain political and/or economic benefits from the existence of the informal sphere.

Chapter Four details the rise of street vending in Kampala and the subsequent introduction of a ban on street vending in the city. It begins by analyzing the decentralization and democratization programs introduced by the NRM after coming to power in 1986, and outlines how these were implemented in a way that benefited the ruling party and Museveni and were halted or reversed when they did not. It demonstrates how these reforms nevertheless created intense political competition between the NRM and the opposition in the newly empowered and elected KCC, and argues that street vendors were able to take advantage of this competition by leveraging the support that they could provide to politicians who were more concerned about electoral politics than enforcing laws that regulated street vending. The chapter then turns to the central government's attempt to regain control of the city from the opposition by replacing the KCC with the KCCA, a body that in its design and operation aimed to disempower elected politicians at the expense of centrally appointed technocrats, and argues that the KCCA has since sought legitimacy through the implementation of an ambitious developmental agenda, a key component of which is the elimination of street vending in the city. Lacking the means of influence that they enjoyed under the KCC, street vendors have faced significant repression under the KCCA. The chapter then examines how street vendors have responded to repression and their changed political circumstances in three different ways: through compliance and co-operation, most notably by relocating to Usafi Market; through small-scale forms of resistance that allow them to remain on the streets; and through further attempts at organization. The significant obstacles that street vendors face in all of these efforts are highlighted. Finally, the chapter considers how the 2016 elections provided a brief period of political competition that allowed street vendors to make small gains, but asserts that these gains were temporary and reversed almost immediately after the elections were over.

Chapter Five explores attempts to privatize Kampala's markets and the struggles over ownership and development that followed the failure of these efforts. It begins by describing how the KCC's market privatization program was the result of financial struggles that were caused by the central government's efforts to undermine the opposition-controlled local government, and details how market vendors were able to block privatization by appealing to the President, who

intervened on their behalf due to his desire to increase his own popularity in the city and undermine the opposition even further. The different ways in which these events unfolded in Owino, Kisekka and Nakawa are explored. It then describes how the central government's policy—introduced by Museveni to overturn the KCC's market privatization program—that vendors should be able to manage and develop their own markets has led to major conflicts within markets surrounding who has the right to represent vendors and what form(s) development should take. These conflicts are again explored in Owino, Kisekka and Nakawa. It is argued that both the President and the KCCA have been able to take advantage of internal conflicts to advance their own interests in markets—which are, for the former, to increase his personal popularity amongst market vendors, and, for the latter, to gain the control of the city's markets to meet its own development and revenue goals—while some vendors have also been able to take advantage of this external support to advance their management and development claims. The significant problems that plague market associations, most notably the forms co-option, neglect or repression they face, their ties to ingrained market hierarchies, their failure to represent members' interests and the difficulties they face in implementing their management and development plans, are emphasized. The chapter concludes by demonstrating how the 2011 elections provided an opening of political space for vendors to exercise agency while failing to give Museveni the electoral support that he had long sought, even if their gains were minimal and did not fundamentally alter the marginalization that vendors experience.

Conclusions are presented in Chapter Six, along with the broader implications of this study and directions that it points to for valuable future research. Insights that it provides into the relationship between agency and the state and its implications for understanding informal economic activity more generally are discussed. A potential research agenda that builds on its findings is also outlined. The future of informal vending in Kampala is then briefly considered.

Chapter Two: Literature Review

The question of how the Ugandan state shapes the agency of informal vendors invokes a number of debates and issues spanning the fields of political science, economics and sociology. Literature on informality in Uganda and the Ugandan state must be considered in reference to work on informal economic activity more generally in order to provide a full account of the topic under consideration, a task that is rendered even more important by the fact that these bodies of work largely exist in isolation from each other. This chapter therefore has two purposes: to review the bodies of literature that are relevant for this thesis, identifying significant trends, issues of contention and gaps in analysis; and to consider how this thesis is able to make original scholarly contributions by studying how the state shapes the agency of informal vendors in Kampala.

This chapter is divided into three sections. The first explores existing treatments of Uganda's informal economy and the Ugandan state. These two topics have not been adequately explored together—a gap that this thesis will fill—but treatments of each individually will be addressed. The second section addresses informal economic activity more generally. It begins by considering the relationship between informal vending and the state, highlighting how and why vendors commonly experience various forms of repression, neglect, tolerance and assistance. It then explores different treatments of agency in the informal sphere, first by describing early approaches that neglected the agency of informal actors and subsequently by outlining the neoliberal view of informality as an expression of the agency of the urban poor that has come to dominate both scholarship and policy. Three alternative ways in which informal actors are commonly seen to exercise agency are then identified: by taking advantage of favourable political conditions to exercise influence, by forming or participating in organizations and by engaging in small-scale resistance strategies. The final section situates this thesis within the literature discussed in this review.

Part I: Informality and the State in Uganda

Despite its size, Uganda's informal economy has received limited attention from both scholars and policymakers. Only rarely have its political dimensions been explored. The nature of the Ugandan state has attracted more scholarly attention, but this work, too, remains somewhat limited. Both bodies of literature are explored here.

i. *The State in Uganda*

Aili Mari Tripp provides a particularly detailed account of the nature of political power and the state in contemporary Uganda. Describing the Ugandan state as ‘semi-authoritarian’ with a ‘hybrid regime’, Tripp claims that it is defined by such key characteristics as: a strong executive that seeks to expand its control at the expense of the legislature, the judiciary and civil society; the use of state institutions for patronage purposes; strong and extensive vertical relationships between the state and society, compared to weaker and less common horizontal linkages within society; regular elections that are manipulated by and used to legitimize those in power; and the suppression of civil liberties that can sometimes be challenged by the existing legal system. Such a system, she claims, has resulted in several contradictions in the exercise of power in Uganda: the transformation of the NRM from a broad-based movement into one that serves a more narrow set of interests; the role that internal dissent within the unresponsive NRM played in the introduction of multipartyism; political decentralization as a means of creating centre-periphery patronage networks; the involvement of security forces in patronage systems in a way that ultimately undermines security, both by suppressing opposition and participating in internal and external conflicts; the maintenance of undemocratic governance based on corruption and patronage through economic growth and foreign support; and, most significantly for this thesis, the opening up of political space accompanied by, and often serving as a pretext for, the expansion of executive power. Clientelism and repression, Tripp asserts, are both central features of state power in Uganda, allowing the NRM, and particularly Museveni, to maintain and exercise power in a political environment that is neither democratic nor authoritarian.¹

Much of the literature on Ugandan politics presents a similar characterization of the state. Importantly, authors commonly employ the concepts of semi-authoritarianism and neopatrimonialism, suggesting that governance and political power operate in both formal and informal ways, and that the country’s liberalized political and economic system and its supposedly independent legal, bureaucratic and departmental structures coexist with and are undermined by systemic forms of personal rule, patronage, clientelist networks, corruption, nepotism and cronyism, along with a general lack of distinction between public and private spheres of authority.

¹ Tripp, Aili Mari, “The Changing Face of Authoritarianism in Africa: The Case of Uganda,” *Africa Today* 50 (3) 2004: 3-26; and Tripp (2010).

William Muhumuza, for example, argues that pervasive neopatrimonialism has subverted the superficial and self-interested political reforms that the NRM implemented after coming to power, accusing the government or Museveni himself of undermining parliamentary authority, providing supporters with jobs and government contracts, manipulating electoral laws and processes, using the army for personal political purposes, intimidating and attempting to influence the judiciary, impairing the government organization responsible for combating corruption and capturing the support of local politicians and interest groups through the distribution of material rewards.² Godfrey Asiimwe claims that politics in Uganda is characterized by a form of neopatrimonialism with Museveni as its head in which state officials practice forms of accumulation for the benefit of themselves and those who provide the basis of their power.³ Policy reports on the politics of Uganda emphasize similar themes. Extensive corruption, high-level political manipulation, flawed democratic processes, poor service delivery and the repressive tendencies of the state are all commonly mentioned as major concerns by both domestic and international organizations.⁴ Such work provides important empirical insights.

An interesting account of how state power in Uganda has evolved over time is offered by Joshua Rubongoya, who focuses on how the forms of political legitimacy employed by the NRM have developed throughout the party's time in power. Usefully, Rubongoya describes how the NRM took early steps towards the construction of an inclusive, decentralized, democratic political system as a means of legitimizing its rule, but depicts how such movement, particularly since the 1996 elections, has been slowly reversed as the party has sought to consolidate its power, effectively reproducing a form of neopatrimonial rule with the President at its centre. As a result, Rubongoya argues, the NRM has failed to produce the 'fundamental change' that it originally promised, and has reverted to the (semi-)authoritarian tendencies that defined its predecessors.⁵

² Muhumuza (2009).

³ Asiimwe.

⁴ See, for example: "BTI 2012: Uganda Country Report," Bertelsmann Stiftung, Gütersloh, 2012; "Corruption and the Service Delivery Tragedy in Uganda: Stories from the Eastern Leg of the Anti-Corruption Trail," ActionAid Uganda, September 2014; "'Letting the Big Fish Swim': Failures to Prosecute High-Level Corruption in Uganda," Human Rights Watch, 2013; "Report of Money in Politics: Pervasive Vote Buying in Uganda Elections," Democracy Monitoring Group, January 2011; "The 4th Annual National Anti-Corruption Convention: Theme 'Fighting Corruption and Promoting Integrity: Summary of the Proceedings,'" Uganda National NGO Forum, 3 December 2014; "The Growing Gap Between Citizens' Expectations of Democracy and Human Rights and Realities in Uganda," Afrobarometer, 17 April 2012; and "World Report 2015: Events of 2014," Human Rights Watch, 2015, 561-567.

⁵ Rubongoya, Joshua B., *Regime Hegemony in Museveni's Uganda: Pax Musevenica*, New York: Palgrave MacMillan, 2007.

Other authors have similarly sought to explain how the power of the ruling party and the President has become so entrenched. Andrew Mwenda charts the rise of authoritarianism in Uganda under Museveni, and suggests that the government employs a combination of intimidation and patronage to prevent the mobilization of potential oppositional groups.⁶ He also describes, with Roger Tangri, how Museveni has sought to stay in power due to his belief that his leadership is essential for the security and prosperity of the country and fear that he will be prosecuted upon leaving office, and how both the military and international donors play a key role in preserving his position.⁷ Elsewhere, they also argue that elite corruption is a defining feature of Ugandan politics and has been crucial for securing the support of both high-level officials and the general population for the NRM, providing few incentives to address it.⁸

The idea that state power in Uganda is characterized by both formal and informal structures, systems and modes of operation is particularly relevant for this thesis, and has been outlined in detail by Moses Khisa. Claiming that the failures of the neopatrimonial model for African states can be addressed by replacing its reliance on structuralist binaries with, following Achille Mbembe's concepts of 'commandment' and 'entanglement',⁹ an emphasis on the fluctuating and unstable post-colonial reproduction of colonial rationalities that are used to rule through resource distribution, scarcity and insecurity, Khisa describes Uganda as an 'informal state' that simultaneously centralizes and fragments state power while establishing modes of operation that run parallel to legal channels. This 'informal state', he argues, is defined by the proliferation of security and intelligence organizations and political mobilization groups, the outsized influence of the State House and the dominance of the NRM caucus at the expense of Parliament. Formal state structures exist to provide the illusions of modernity and legitimize the 'informal state', but do not impede its function and are undermined whenever expedient. This leads to clashes with formal local state structures over mobilization, service provision and intelligence gathering. Khisa traces its emergence to the country's extended experience of insecurity and political instability after gaining independence, as well as the NRM's militaristic ideology and

⁶ Mwenda.

⁷ Tangri, Roger and Andrew M. Mwenda, "President Museveni and the Politics of Presidential Tenure in Uganda," *Journal of Contemporary African Studies* 28 (1) 2010: 31-49.

⁸ Tangri, Roger and Andrew M. Mwenda, "Elite Corruption and Politics in Uganda," *Commonwealth & Comparative Politics* 46 (2) 2008: 177-194.

⁹ Mbembe, Achille, *On the Postcolony*, Berkeley: University of California Press, 2001.

desire to remain in power, and asserts that international donors aid its survival while limiting accountability.¹⁰

These political realities significantly undermine the ability of the state to fulfill key functions. Richard Grabowski claims that patron-client relationships limit investment in agriculture, resulting in low productivity and high labour costs,¹¹ Mbabazi Godfrey and Pyeong Jun Yu assert that pervasive corruption hinders anti-poverty efforts¹² and a study by Ritva Reinikka and Jakob Svensson reveals that corruption significantly impacts the disbursement of education grants.¹³ This greatly impacts public perceptions, as Kristof Titeca claims that dominant forms of distribution fundamentally shape how Ugandans view the state, with many believing that the availability of state services is based on membership in a personalized network rather than universal.¹⁴ Perhaps more significantly, these realities can be seen to provide a logic for ineffective governance. In a study that is particularly relevant for this thesis, Gina Lambright demonstrates how partisan political struggles negatively affect municipal service delivery. Focusing on Kampala, she demonstrates how the central government was able to undermine the KCC by manipulating its financing, disrupting its tax policies and interfering in its political decision-making. The KCC's resulting poor performance, she suggests, allowed the central government to claim that the opposition was mismanaging the city and gave it a justification to replace the KCC with the KCCA.¹⁵

Some authors have explored such features of the state in the context of reforms. Michael Keating claims that the introduction of multiparty democracy in 2005 threatened to transform a system in which Parliament was able to balance executive power, particularly in conflicts over financial sector reform, central bank independence and electricity sector reform, into one in which the executive was able to control Parliament.¹⁶ Mark Robinson states that the initial success of

¹⁰ Khisa.

¹¹ Grabowski, Richard, "Economic Growth without Transformation: The Case of Uganda," *Canadian Journal of Development Studies* 35 (2) 2014: 317-327.

¹² Godfrey, Mbabazi and Pyeong Jun Yu, "Patronage Driven Corruption Undermining the Fight Against Poverty in Uganda," *African Social Science Review* 7 (1) 2014: 54-70.

¹³ Reinikka, Ritva and Jakob Svensson, "Local Capture: Evidence from a Central Government Transfer Program in Uganda," *The Quarterly Journal of Economics* 119 (2) 2004: 679-705.

¹⁴ Titeca, Kristof, "Political Patronage and Political Values: The Developmental Role of Political Patronage and its Impact on Shaping Political Values in Rural Uganda," *Afrika Focus* 19 (1/2) 2006: 43-67.

¹⁵ Lambright (2012).

¹⁶ Keating, Michael F., "Can Democratization Undermine Democracy? Economic and Political Reform in Uganda," *Democratization* 18 (2) 2011: 415-442.

civil service reform, the URA and anti-corruption efforts was stalled or reversed in order to preserve the functioning of the country's neopatrimonial system.¹⁷ Elliott Green argues that patronage provides the underlying logic for the proliferation of political districts,¹⁸ and Janet Lewis makes a similar claim, also stating that such decentralization reforms decrease the bargaining power and administrative capacity of individual units, while also increasing the central government's ability to monitor peripheral areas.¹⁹ Paul Francis and Robert James also state that the country's decentralization program is based on 'technocratic' and 'patronage' modes of rural local governance that are designed to allow for a balance between central control and popular participation, but that the current system does not adequately empower local decision-making.²⁰ Not all authors believe that such characteristics of the state have entirely negative effects, however. Carol Dauda, for example, asserts that decentralization can allow for marginalized groups to gain some legitimacy and push for local accountability.²¹ Conversely, Anne Mette Kjaer asserts that Uganda illustrates how neopatrimonialism does not necessarily preclude public sector reform, although she does acknowledge that the pace of such reforms slowed considerably as Museveni's own clientelist networks became entrenched.²²

The depiction of the Ugandan state that emerges from existing literature is similar to that which is presented in this thesis: one that is characterized by continuing attempts by the President and the ruling party to expand their power in an ostensibly liberalizing political system; constant encroachment on virtually all aspects of society and the economy; the repression or co-option of the opposition; and the existence of both formal and informal channels of negotiation that connect broad segments of society directly to the state, particularly the NRM and/or the President personally. This thesis builds on such work by using the politics of informal vending in Kampala as a lens through which to view issues of power and the Ugandan state more generally. It

¹⁷ Robinson, Mark, "The Political Economy of Governance Reforms in Uganda," *Commonwealth & Comparative Studies* 45 (4) 2007: 452-474.

¹⁸ Green, Elliott, "Patronage, District Creation, and Reform in Uganda," *Studies in Comparative International Development* 45 (1) 2010: 83-103.

¹⁹ Lewis, Janet I., "When Decentralization Leads to Recentralization: Subnational State Transformation in Uganda," *Regional and Federal Studies* 24 (5) 2014: 571-588.

²⁰ Francis, Paul and Robert James, "Balancing Rural Poverty Reduction and Citizen Participation: The Contradictions of Uganda's Decentralization Program," *World Development* 31 (2) 2003: 325-337.

²¹ Dauda, Carol L., "Democracy and Decentralisation: Local Politics, Marginalisation and Political Accountability in Uganda and South Africa," *Public Administration and Development* 26 (4) 2006: 291-302.

²² Kjaer, Anne Mette, "'Old Brooms Can Sweep Too!' An Overview of Rulers and Public Sector Reforms in Uganda, Tanzania and Kenya," *Journal of Modern African Studies* 42 (3) 2004: 389-413.

particularly focuses on how the expansion of power by the President and the NRM becomes manifest in the highly contested urban space of Kampala and what the effects of this power have been for a particularly vulnerable segment of the urban poor. This focus on the relationship between informality and the state means that it is also necessary to consider existing studies on informal economic activity in Uganda, a task to which this chapter now turns.

ii. *Informal Economic Activity in Uganda*

The most relevant analysis of informal economic activity in Uganda for the purposes of this thesis is most likely a study by Tom Goodfellow and Kristof Titeca that examines how Museveni intervened on behalf of informal market vendors and *boda-boda* drivers in their dealings with the KCC to gain electoral support.²³ The argument that the President blocked the KCC's attempts to privatize the city's markets for personal political gain is also presented in the first part of Chapter Five of this thesis. The empirical analysis contained in Goodfellow and Titeca's study, however, is extremely brief and its scope is considerably different from that of this thesis. It fails to address the role that the President and the central government played in provoking market privatization by financially undermining the KCC, and also quite problematically ignores divisions within markets, meaning the authors fail to capture the complexities and nuances that define the politics of markets in the city. Most significantly, since their work only addresses the KCC's market privatization program, it does not include an analysis of how markets have since become embroiled in major internal conflicts over issues of management and development and the political dimensions that these conflicts have assumed. Goodfellow and Titeca's study is therefore relevant to this thesis, but its scope is far too narrow and its limitations are significant.

Titeca presents a similar argument in a more recent and in-depth book chapter, providing further analysis of how Museveni and the NRM used specific policy actions, social programs and distributive practices to secure the electoral support of informal market vendors and *boda-boda* drivers in 2011. He particularly emphasizes the importance of Savings and Cooperative Credit Organizations (SACCOs), microfinance organizations that are set up by the government to provide loans at low interest rates, as vehicles that the NRM can use for resource distribution.²⁴ Again, his

²³ Goodfellow and Titeca.

²⁴ Titeca, Kristof, "The Commercialization of Uganda's 2011 Election in the Urban Informal Economy: Money, Boda-Bodas and Market Vendors," in *Elections in a Hybrid Regime: Revisiting the 2011 Polls*, by Perrot, Sandrine et al. eds., Kampala: Fountain Publishers, 2014, 178-207.

arguments are relevant for the part of Chapter Five of this thesis that addresses the role of markets in the 2011 elections, but the same shortcomings are still present, particularly the failure to address the importance of political divisions (although he briefly describes how these affect *boda-boda* drivers and claims similar trends can be found in informal markets) and adopt a broader view of changing political circumstances and how vendors react to these.

Goodfellow also makes a similar argument in an earlier and more general study of how urban governance in Kampala under the KCC was undermined by competing interests and informal bargaining systems between elites and various interest groups. In doing so, he demonstrates how politicians were able to mobilize these urban groups in their political conflicts with their rivals, allowing these groups, including market vendors, to exercise a degree of political influence that was disproportionate to their socioeconomic status. While Goodfellow's focus on urban dysfunction usefully situates informal actors within a broader matrix of power in which different political and economic interest groups undermine formal governance through unofficial channels, the fact that he only partially focuses on informality and examines a political context that, with the introduction of the KCCA, differs considerably from the one that presently exists renders his work significant for, but ultimately fundamentally different from, this project.²⁵

Other authors have similarly addressed the politics of markets in Kampala. In an important early article, Christie Gombay examines how conflicts surrounding market fees, upgrades and access in Kampala undermine the KCC's bureaucratic attempts at urban management. Gombay argues that the 'problems' and 'solutions' that are seen to characterize the city by urban planners are misframed in terms of creating an 'enabling' environment, improving land management or enhancing revenue collection, and that policies based on such misconceptions fail in their application as they run into existing 'politics of survival' and forms of management by the urban poor. Such an argument still has a significant amount of resonance, but unfortunately her work is now more than twenty years old, so at this point it is more informative about historical conditions than present circumstances.²⁶ A more recent analysis of attempts to privatize informal markets in Kampala by Ilda Lindell and Jenny Appelblad is also relevant. Lindell and Appelblad argue that privatization often involved the takeover of markets by external entities that collected fees and

²⁵ Goodfellow, Tom, "'The Bastard Child of Nobody'? Anti-planning and the Institutional Crisis in Contemporary Kampala," Crisis States Research Centre Working Paper No. 67, February 2010.

²⁶ Gombay.

provided few services in return, significantly undermining the organizational capacity and influence of, or even banning, existing market associations, causing some to disappear altogether. In Park Yard Market, which the authors examine to illustrate these trends, vendors responded to a takeover by an external private company with non-co-operation and ultimately unsuccessful appeals to government authorities. Lindell and Appelblad contrast Park Yard with Nakawa Market, in which a credit co-operative emerged and replaced the existing association, ultimately gaining the right to manage the market. This co-operative, they argue, has proven to be preferable to the city's control of the market, but as it is controlled by and run in the interests of shareholders in the market, it is not as inclusive as the previous association, and many vendors complain that its fees are too high.²⁷ Lindell and Appelblad's study provides interesting insights into market privatization and how vendors have responded to this process, and their work importantly recognizes the deep divisions that exist within markets and the politics that characterize these. Still, its scope is narrow and, as this thesis shows, it is now slightly dated as many important developments have occurred in Nakawa Market since its publication.

Other scholarly work on Uganda's informal economy has less in common with this thesis. Nelson Kasfir's early work on the growth of informal economic activity during the rule of Idi Amin, and how the relationship between the informal sphere and the state evolved and contributed to class formation during this period, is relevant for the issues discussed in Chapter Three, but it does not address political agency.²⁸ Sheldon Weeks' work also represents an early analysis of informality in Uganda, but is more of a descriptive account.²⁹ More recently, Lilian Keene-Mugerwa has examined both how adapting and expanding existing legislation in Uganda can benefit those who participate in the informal sphere and how civil society organizations can help informal actors overcome impediments to organization, but she does not discuss broader political themes.³⁰ Sarah Lince's study of how formalization efforts in Jinja have caused informal actors to lose control over their livelihoods, their bargaining and earning power and their strategies of maintaining financial security and stability provides a useful look into how the Ugandan state tries

²⁷ Lindell and Appelblad.

²⁸ Kasfir, Nelson, "State, *Magendo*, and Class Formation in Uganda," *The Journal of Commonwealth & Comparative Politics* 21 (3) 1983: 84-103.

²⁹ Weeks, Sheldon G., "Where are all the Jobs? The Informal Sector in Bugisu, Uganda," *The African Review* 3 (1) 1972: 111-132.

³⁰ Keene-Mugerwa, Lilian, "Human Rights and the Working Poor in Uganda's Informal Sector," in *The Legal Empowerment Agenda: Poverty, Labour and the Informal Economy in Africa*, by Banik, Dan ed., Farnham: Ashgate, 2011, 159-176.

to formalize its informal sector and the effects that this has, but it is thematically different from this thesis.³¹ Finally, studies by Robert Ikoja-Odongo and Dennis Ocholla on the information seeking behaviour of people who operate informal businesses and by Charles Muyanja et al. on the practices of informal street food vendors provide some useful background information on informality in the country, even if neither is directly relevant to this project.³²

Policy reports on Uganda's informal economy provide few insights for this thesis. The UBOS included a section on informal economic activity in the 2009/2010 edition of its National Household Survey, but this is mainly for the purpose of statistical measurement and reveals little about how Uganda's informal sphere actually operates or the realities that informal actors experience.³³ This section was left out of the next and most recent National Household Survey for 2012/2013.³⁴ The World Bank has also examined informal economic activity in Uganda in the context of development,³⁵ productivity³⁶ and employment,³⁷ along with the causes of informality in Uganda,³⁸ but it has not addressed the themes explored here. A study of informal street vending in African cities that includes findings from Uganda prepared by the group Women in Informal Employment: Globalizing and Organizing (WIEGO) for the World Bank contains useful information on informal economic activity in Uganda, but again does not have a similar scope to this project.³⁹ The same is true for a study by the Organization for Social Science Research in Eastern and Southern Africa (OSSREA) on women involved in catering in Owino Market,⁴⁰ an International Labour Organization (ILO) report on skills development in the informal sector in Kenya, Tanzania and Uganda⁴¹ and a joint publication between the ILO and the Ugandan

³¹ Lince.

³² Ikoja-Odongo, Robert and Dennis N. Ocholla, "Information Seeking Behavior of the Informal Sector Entrepreneurs: The Uganda Experience," *Libri* 54 (1) 2004: 54-66; and Muyanja, Charles et al., "Practices, Knowledge and Risk Factors of Street Food Vendors in Uganda," *Food Control* 22 (10) 2011: 1551-1558.

³³ "Uganda National Household Survey 2009/2010".

³⁴ "Uganda National Household Survey 2012/13".

³⁵ "Uganda: Moving Beyond Recovery: Investment & Behaviour Change, for Growth," Country Economic Memorandum, Volume II: Overview, The World Bank, Report No. 39221-UG, October 2007; and Fox and Pimhidzai.

³⁶ Bakeine.

³⁷ "Special Focus: Jobs: Key to Prosperity," Uganda Economic Update, Second Edition, The World Bank, August 2013.

³⁸ Ingram, Ramachandran and Desai.

³⁹ Mitullah, Winnie V., "Street Vending in African Cities: A Synthesis of Empirical Findings from Kenya, Cote D'Ivoire, Ghana, Zimbabwe, Uganda and South Africa," WIEGO, 16 August 2003.

⁴⁰ Nalunga, Jane Seruwagi, "Women Employees in the Informal Sector, Kampala, Uganda," Gender Issues Research Report Series, OSSREA, 1998.

⁴¹ Hann, Hans Christiaan, "Training for Work in the Informal Sector: New Evidence from Kenya, Tanzania and Uganda," EMP/SKILLS Working Paper No. 11, International Labour Office, Geneva, 2002.

government on child labour in the country's informal sphere.⁴² Such policy work fits the broader trend of silence surrounding the political dimensions of informal economic activity. This thesis attempts to correct for this common deficiency.

Despite the fact that a number of authors have examined various aspects of informal economic activity in Uganda, the analysis of the relationship between state power and the agency of informal vendors presented in this thesis still promises to make valuable contributions to existing literature. No studies have yet considered how the expansion of state power over time has gradually curtailed the agency of informal vendors or how vendors have responded to these changes. Similarly, no studies have yet examined the more general reassertion of state power in the city that surrounds the introduction of the KCCA, undertaken a full empirical analysis of the internal and external politics of markets, addressed the politics of street vending in the city or primarily based their findings on extensive interviews with informal vendors. These are significant gaps that this thesis fills.

Before examining the politics of informality and the state in Uganda, however, it is first necessary to consider the literature surrounding both informal economic activity and the agency of informal actors more generally. The second part of this literature review is dedicated to such a task.

Part II: Informal Economic Activity

The literature on informal economic activity that is relevant for this project can be loosely divided into four categories: work that focuses on informal vending and the state; early approaches to informality that largely overlook the importance of agency; neoliberal views of the informal sphere as a space of liberation from the state and agency for the urban poor; and studies that explore specific manifestations of the agency of informal actors. Each of these is discussed in turn.

i. Informal Vending and the State

Informal vendors have a unique relationship with the state. Interestingly, work on this topic almost exclusively focuses on street vending, although it is important to note that some studies fail

⁴² "Report of the Sectoral Study on Child Labour in the Urban Informal Sector in Uganda," International Labour Office and Ministry of Gender, Labour and Social Development, Uganda, June 2004.

to distinguish between street and market vending and thus refer to both. Even though, as this thesis highlights, street and market vending have important differences and deserve to be studied independently of each other, some of the arguments that have been advanced in relation to street vending and the state can be applied to informal vending more generally, making them highly relevant to the issues explored in this thesis as a whole.

The relationship between street vendors and the state is commonly defined by a considerable degree of ambivalence, incoherence, uncertainty and fluctuation.⁴³ A key aspect of this relationship is widespread opposition to street vending by various levels of government. Ray Bromley details sixteen different arguments that are commonly presented against street vending: it increases urban congestion; it can impede traffic flows; closing off streets for vending reduces available traffic routes; it can block exits from major city buildings, creating a safety hazard; it can take away customers from formal businesses due to its accessibility; it can take away customers from formal businesses due to unfair competition when vendors do not pay taxes; vendors can defraud their customers or sell counterfeit and/or low-quality goods; food and drinks sold by vendors can be hazardous to their customers' health; vendors can be unresponsive to complaints or problems with their products; it can exploit child labour; some vendors provide illegal goods or services; it undermines the revenue base and thus capacity of the state; it can create an environment conducive to low-level crime; it can be a nuisance to pedestrians and motorists; it can be seen to embody urban disorder, making the city less attractive, noisier and less clean; and it is economically inefficient.⁴⁴ Street vending is therefore often seen as an impediment to modernist notions of urban life and economic development by city planners, and thus something that must be eradicated or brought into the formal economic sphere.⁴⁵ Vendors are therefore a 'problem' that stands in the way of development,⁴⁶ and their rejection reflects broader trends of urban social

⁴³ A similar point is made in Setšabi and Leduka. Also see Skinner, Caroline, "The Struggle for the Streets: Processes of Exclusion and Inclusion of Street Traders in Durban, South Africa," *Development Southern Africa* 25 (2) 2008: 227-242.

⁴⁴ Bromley (2000).

⁴⁵ This point is widely commented upon, and will be explored in greater detail below in the context of how vendors respond to eradication efforts. See, for example, Setšabi and Leduka. For other case studies, see: Anjaria, Jonathan Shapiro, "Street Hawkers and Public Space in Mumbai," *Economic and Political Weekly* 41 (21) 2006: 2140-2146; Beavon, K. S. O. and C. M. Rogerson, "The Council Vs the Common People: The Case of Street Trading in Johannesburg," *Geoforum* 17 (2) 1986: 201-216; Bromley, Rosemary D. F. and Peter K. Mackie, "Displacement and the New Spaces for Informal Trade in the Latin American City Center," *Urban Studies* 46 (7) 2009: 1485-1506; and Popke, E. Jeffrey and Richard Ballard, "Dislocating Modernity: Identity, Space and Representations of Street Trade in Durban, South Africa," *Geoforum* 35 (1) 2004: 99-110.

⁴⁶ Setšabi and Leduka.

exclusion.⁴⁷ As a result, street vendors commonly face various forms of repression, including bans, forced removals, relocation efforts, prohibitive regulation, harassments and arrests. As Rosemary Bromley acknowledges, even seemingly technocratic interventions are frequently guided by unstated economic concerns, and the actions of any government, regardless of their justification, are rarely 'neutral'.⁴⁸

This opposition, however, often coexists with a more favourable view of street vending. Ray Bromley also cites eleven different arguments that are commonly used to justify the practice: it is integral to a city's economy; people have a right to choose their occupation; it can provide the government with essential revenue; it serves as a type of 'social safety net'; it allows people to gain entrepreneurial skills; it provides opportunities for entrepreneurship and upward mobility; it can provide customers with essential goods and services; it can bring desirable economic activity and atmosphere to city streets; it can provide seasonal goods or test new markets that could not sustain formal businesses; it can be appealing due to its flexible hours; and, following de Soto, it can provide a popular alternative to an unjust and unrepresentative state-backed economic system.⁴⁹ Thus the state may tolerate or even sometimes support informal vending. John Cross describes this in terms of a transition from the modernist position on informality, which held vending to be parasitic or inefficient, to the post-modernist view that it could be an important source of economic growth and flexibility. According to Cross, the real 'problem' with street vending is in fact that it is able to outcompete its formal rivals, and as these businesses are unable to eradicate street vending through market mechanisms, they instead turn to the state and rely on its regulatory and coercive powers. But viewing street vending as a 'solution' to developmental issues, he claims, is also problematic, as it adopts what he terms 'formalomorphism', or the belief that informality is merely an inadequate imitation of formality, while efforts to formalize the informal sphere risk eliminating what makes it successful while ignoring the forms of exclusion and exploitation that define it.⁵⁰ And as Marina Karides notes, the interests and experiences of informal vendors are often excluded from the rhetoric of 'assistance'.⁵¹

⁴⁷ Yamto.

⁴⁸ Bromley, Rosemary D. F., "Informal Commerce: Expansion and Exclusion in the Historic Center of the Latin American City," *International Journal of Urban and Regional Research* 22 (2) 1998: 245-263.

⁴⁹ Bromley (2000).

⁵⁰ Cross, John C., "Street Vendors, Modernity and Postmodernity: Conflict and Compromise in the Global Economy," *International Journal of Sociology and Social Policy* 20 (1/2) 2000: 30-52.

⁵¹ Karides, Marina, "Whose Solution is It? Development Ideology and the Work of Micro-Entrepreneurs in Caribbean Context," *The International Journal of Sociology and Social Policy* 25 (1/2) 2005: 30-62.

It is within this context that vendors exercise agency as they seek to participate in urban development. In order to understand the agency of informal vendors, it is necessary to explore literature that addresses—or, just as importantly, fails to address—the agency of informal actors more generally. It is to these bodies of work that this chapter now turns.

ii. *The Informal Sphere as Apolitical*

Early approaches to informal economic activity paid little attention to its political dimensions.⁵² Indeed, informal actors have commonly been viewed as passive, apolitical victims of broader political and socioeconomic circumstances rather than active, rational agents. This depiction of informal actors characterized the two theoretical approaches that dominated early understandings of informal economic activity. The first is defined by the common view, inherent in early forms of Marxism, neoclassical economics and modernization theory, that capitalist development would necessarily lead to the dramatic transformation of pre-capitalist political economies and involve the widespread absorption of labour. From this perspective, the informal sphere exists as a result of inadequate demand for the high supply of labour that underdevelopment entails; the growth of the formal sector, it was assumed, would increase opportunities for formal employment, thereby reducing the disconnect between the supply of and demand for labour that resulted in excess capacity.⁵³ Informal actors are those who are yet to be integrated into the process of formal development, and, as a result, adopt a variety of economic activities as a form of basic subsistence. They are therefore limited in their actions by the dynamics of formal economic growth and employment creation, and apparently make little effort to influence these or otherwise engage

⁵² For various treatments of the literature on informal economic activity, see: Carr, Marilyn and Martha Alter Chen, "Globalization and the Informal Economy: How Global Trade and Investment Impact on the Working Poor," *Women in Informal Employment Globalizing and Organizing*, May 2001; Gërxhani, Klarita, "The Informal Sector in Developed and Less Developed Countries: A Literature Survey," *Public Choice* 120 (3/4) 2004: 267-300; Habib-Mintz, Nazia, "To What Extent can the Informal Economy Concept Adequately Explain the Dynamism of the Non-Formal Sector in Developing Countries," *Journal of International Business and Economy* 10 (1) 2009: 1-19; Losby, Jan L. et al., "Informal Economy Literature Review," ISED Consulting and Research and The Aspen Institute, December 2002; Portes, Alejandro and Richard Schauffler, "Competing Perspectives on the Latin American Informal Sector," *Population and Development Review* 19 (1) 1993: 33-60; Rakowski, Cathy A., "Convergence and Divergence in the Informal Sector Debate: A Focus on Latin America, 1984-92," *World Development* 22 (4) 1994: 501-516; and Yusuff, Olabisi Sherifat, "A Theoretical Analysis of the Concept of Informal Economy and Informality in Developing Countries," *European Journal of Social Sciences* 20 (4) 2011: 624-636.

⁵³ Habib-Mintz. For the similarities between Marxist and more orthodox approaches to the role of the informal sphere in the political economy of development, see Portes, Alejandro and Saskia Sassen-Koob, "Making it Underground: Comparative Material on the Informal Sector in Western Market Economies," *American Journal of Sociology* 93 (1) 1987: 30-61.

with the state for their own benefit. Even as seminal studies by Keith Hart⁵⁴ and the ILO⁵⁵ began to recognize the persistence and diversity of informal economies in the context of underdevelopment, along with their importance in survival strategies, the politics of informality remained largely unaddressed. The informal sphere was seen as less of a contested space as it was a space that was, however permanently, left outside of formal development. Informal actors may have been seen to possess agency in relation to their creative livelihood patterns, but this agency was not analytically extended to explore the politics of the informal sphere itself.

The second early approach to informality furthered the understanding of informal actors as largely passive victims of broader circumstances over which they have little influence. This approach is defined by structuralist accounts that view the informal sphere as inherently subordinate to its formal counterpart. For structuralists, the formal and informal spheres are connected through a wide range of complex mechanisms and relationships in a way that allows the former to function through the exploitation of the latter. According to this understanding, informality plays a key role in the capitalist system by supplying low-cost goods and services for formal firms, allowing them to maximize profits by minimizing expenditures on labour, production and distribution. Formal workers also benefit from the existence of the informal sphere as it allows them to survive on otherwise inadequate wages, while wealthier participants in the informal economy are able to sustain or improve their socioeconomic position by taking advantage of less expensive goods and services. From this perspective, informality is therefore produced and sustained through the division of labour and forms of production, distribution and accumulation that define capitalism and exist both domestically and internationally, and thus constitutes a form of unequal market integration rather than exclusion.⁵⁶ The emphasis that structuralist accounts place upon the exploitation and subordination of informal actors effectively precludes any analysis of how the informal sphere is contested. Informal actors are not seen to possess the capacity to undertake actions that would affect their marginalization. Similarly, while the hierarchies and forms of domination that define informality may be emphasized, these are presented as a natural by-product of capitalist development and are largely de-politicized.

⁵⁴ Hart.

⁵⁵ "Employment, Incomes and Equality: A Strategy for Increasing Productive Employment in Kenya," International Labour Office, Geneva, 1972.

⁵⁶ Prominent examples of this literature include: Portes, Castells and Benton eds.; Moser, Caroline O.N., "Informal Sector or Petty Commodity Production: Dualism or Dependence in Urban Development?" *World Development* 6 (9/10) 1978: 1041-1064; and Portes and Schauffler.

iii. *Neoliberal Accounts of Informal Economic Activity*

The apolitical view of informal actors first came to be challenged by the rise of neoliberal accounts of informal economic activity. The work of Hernando de Soto is particularly important here. In his analysis of informal economic activity in Peru, de Soto portrays the informal sphere as a site of market creativity and dynamism that is populated by a diverse array of small-scale entrepreneurs. In doing so, he employs the emphasis that neoclassical economic analysis places on rational actors to argue that informal actors weigh the respective costs and benefits that informality and formality each entail, and choose the former, despite its undesirability, due to the burdens that governments place on the latter. For de Soto, therefore, engaging in informal economic activity is itself a form of contesting the state, with the conscious evasion of official legal and regulatory structures serving as a popular challenge to the state's poorly managed economic dominance. In contrast to earlier accounts of informal economic activity, the informal sphere does not limit agency, but is rather itself the result of the agency of small-scale entrepreneurs acting in accordance with their rational self-interest.⁵⁷

De Soto does not, however, view informal economic activity as entirely beneficial. Instead, he argues, it can have a variety of negative effects: reduced levels of productivity and investment, higher prices for services, minimal technological development and difficulties collecting tax revenues and constructing macroeconomic policy. De Soto therefore argues that the state must act to formalize the informal sphere, and asserts that it is best able to do so by reducing the costs of formality and reforming the legal system to provide protections for property rights, contracts and extracontractual liabilities.⁵⁸ De Soto's work is tied to the broader idea that underdevelopment is caused by overly restrictive, burdensome or distortionary state policies and can be 'solved' through market reforms. The idea that markets are a solution to rather than a cause of informality has inspired a vast amount of literature advocating lower taxes, fewer regulations and less bureaucracy as the best means of reducing the costs of entering the formal sphere and harnessing the developmental potential of informal entrepreneurs, with the neoliberal interpretation of informality coming to dominate mainstream scholarship,⁵⁹ major international institutions, most notably the

⁵⁷ De Soto.

⁵⁸ Ibid.

⁵⁹ Albrecht, James, Lucas Navarro and Susan Vroman, "The Effects of Labour Market Policies in an Economy with an Informal Sector," *The Economic Journal* 119 (539) 2009: 1105-1129; Bromley, Ray, "A New Path to

World Bank,⁶⁰ and popular accounts.⁶¹ De Soto's work therefore not only provides an important understanding of how informal actors contest the state, but also informs orthodox approaches to how the state should, in turn, act to reduce informality. It remains a central reference point for all contemporary analysis of informal economic activity.

The idea that participation in informal economic activity is itself a way of contesting the failures of the state has been widely adopted. Victor Azarya and Naomi Chazan's theorization of 'disengagement from the state' in Ghana and Guinea,⁶² Janet MacGaffey's study of Zaire's 'real economy' in an environment of state collapse⁶³ and Aili Mari Tripp's analysis of survival strategies in Dar es Salaam⁶⁴ all portray the informal economy as a space of liberation from a state that cannot or will not provide for the needs of the majority of its citizens. For Tripp, informal actors do not just disengage from the state in the informal sphere, but are also, in doing so, able to have a dramatic impact on state policy. Tripp argues that the large-scale evasion of the state that informal economic activity involves played a decisive role in Tanzania's economic liberalization that began in the mid-1980s as it forced the state, which was then suffering from reduced capacity due to long-term economic mismanagement, to lessen official restrictions on the informal livelihood strategies that had become so pervasive in an environment of economic stagnation and decline. Following James C. Scott's conceptualization of everyday forms of resistance—actions that

Development? The Significance and Impact of Hernando De Soto's Ideas on Underdevelopment, Production, and Reproduction," *Economic Geography* 66 (4) 1990: 328-348; Djankov, Simeone et al., "The Effect of Corporate Taxes on Investment and Entrepreneurship," *American Economic Journal: Macroeconomics* 2 (3) 2010: 31-64; Ihrig, Jane and Karine S. Moe, "Lurking in the Shadows: The Informal Sector and Government Policy," *Journal of Development Economics* 73 (2) 2004: 541-557; Loayza, Norman V., "The Economics of the Informal Sector: A Simple Model and Some Empirical Evidence from Latin America," Carnegie-Rochester Conference Series on Public Policy, Volume 45, 1996, 129-162; Maloney, William F., "Informality Revisited," *World Development* 32 (7) 2004: 1159-1178; Schneider, Friedrich and Dominik H. Enste, "Shadow Economies: Size, Causes, and Consequences," *Journal of Economic Literature* 38 (1) 2000: 77-114; Sparks, Donald L. and Stephen T. Barnett, "The Informal Sector in Sub-Saharan Africa: Out of the Shadows to Foster Sustainable Employment and Equity?" *International Business & Economics Research Journal* 9 (5) 2010: 1-12. A number of these authors are, or have been, affiliated with the World Bank and/or other major international institutions.

⁶⁰ For the World Bank's approach to informality, see: "Doing Business 2014: Understanding Regulations for Small and Medium-Size Enterprises," The World Bank, 2013; Perry et al., 2007.

⁶¹ See, for example: Neuwirth, Robert, *Stealth of Nations: The Global Rise of the Informal Economy*, New York: Pantheon Books, 2011; Barta, Patrick, "The Rise of the Underground," *The Wall Street Journal*, 14 March 2009; "Economics Focus: In the Shadows," *The Economist*, 19-25 June, 2004; Neuwirth, Robert, "The Shadow Superpower," *Foreign Policy*, 28 October 2011; and "Special Report: Mexico: The Joy of Informality," *The Economist*, 18-24 November 2006.

⁶² Azarya, Victor and Naomi Chazan, "Disengagement from the State in Africa: Reflections on the Experience of Ghana and Guinea," *Comparative Studies in History and Society* 29 (1) 1987: 106-131.

⁶³ MacGaffey, Janet, *The Real Economy of Zaire: The Contribution of Smuggling and Other Unofficial Activities to National Wealth*, Philadelphia: University of Pennsylvania Press, 1991.

⁶⁴ Tripp (1997).

discreetly, rather than openly, contest the application of power⁶⁵—Tripp claims that informal actors in Tanzania employed a form of collective non-compliance as a means of challenging the state's restrictive definitions of social justice and economic fairness. For Tripp, the informal sphere is therefore more than a site of simple survival strategies as it also exists as a space where the broader contours of state-society relations can be constantly (re)negotiated. The non-compliance inherent in informality, Tripp claims, can be a powerful tool for refashioning the social and economic dimensions of even unrepresentative, unresponsive states along popular lines.⁶⁶

This thesis challenges neoliberal accounts of informal economic activity by arguing that they are based on a fundamentally flawed conceptualization of the relationship between agency and the state in the informal sphere. It advances this critique by building on alternative treatments of the agency of informal actors and placing the role of the state at the centre of its analysis. It is to this final body of work on specific instances and manifestations of the agency of informal actors that this literature review now turns.

iv. *Alternative Approaches to Agency in the Informal Sphere*

There are many dimensions to the agency of informal actors. For informal vendors, much of this surrounds the ambivalent and unstable relationship that they have with the state. Peter Mackie, Rosemary Bromley and Alison Brown identify four different 'battlegrounds' on which vendors confront the state: spatial battlegrounds, which concern the access to physical space within a city; political battlegrounds, which concern influence over political decision-making; economic battlegrounds, which concern the removal of vendors in the interests of middle class residents of the city; and socio-cultural battlegrounds, which concern the practices and cultures of vendors that are seen as undesirable and antithetical to a certain conception of modernity.⁶⁷ Similarly, Ilda Lindell emphasizes how the governance of informal vendors takes place and is contested at multiple sites, including within vending associations, in the relationship between associations and the state and in relationships with other associations and civil society groups.⁶⁸

⁶⁵ For Scott's work on resistance, see: Scott (1990); and Scott (1985).

⁶⁶ Tripp (1997).

⁶⁷ Mackie, Peter K., Rosemary D. F. Bromley and Alison M. B. Brown, "Informal Traders and the Battlegrounds of Revanchism in Cusco, Peru," *International Journal of Urban and Regional Research* 38 (5) 2014: 1884-1903.

⁶⁸ Lindell, Ilda, "The Multiple Sites of Urban Governance: Insights from an African City," *Urban Studies* 45 (9) 2008: 1879-1901.

It is possible to categorize the literature on political agency in the informal economy in many different ways. This literature review focuses on three ways in which informal actors—and informal vendors in particular—are able to exercise agency: by taking advantage of favourable opportunities to exercise political influence; by forming or participating in organizations; and by engaging in small-scale resistance strategies.

a) Political Influence

The first major way in which informal actors are able to exercise agency is by taking advantage of specific state structures and/or political realities in ways that provide for a degree of political influence. These usually take the form of democratic processes and clientelism, often with little distinction between the two. Repression and co-option are of central importance here as well given that involvement in such processes are often a means of challenging the former but risk the latter.

Rina Agarwala offers a notable analysis of how particular political and economic conditions shape the agency of informal actors. Analyzing the efforts of informal actors in four of India's sub-national states, she argues that two conditions are of primary importance for success: first, the existence of pro-poor competitive elections in which informal actors are able to offer votes in exchange for favourable policies, and second, and of slightly less significance, the degree of economic liberalization, which, she argues, actually provides informal actors with a certain degree of leverage in their dealings with the state as it allows them to frame themselves as essential components of neoliberal forms of production. Differences in these two variables, she claims, explains high levels of success in Tamil Nadu (where both are present) and Kerala (where the first is but not the second), moderate success in Maharashtra (where the second is present but not the first) and low levels of success in West Bengal (where both are absent). The more these conditions are present, she therefore argues, the more informal actors are able to make claims upon the state for the provision of social welfare. In doing so, she suggests, they are re-forging their social contract with the state in a way that helps to legitimize their activities, representing a 'bottom-up' response to labour inflexibility in an environment of neoliberalism.⁶⁹

⁶⁹ Agarwala, Rina, *Informal Labor, Formal Politics, and Dignified Discontent in India*, New York: Cambridge University Press, 2013. Also see Agarwala, Rina, "Reshaping the Social Contract: Emerging Relations between the Street and Informal Labor in India," *Theory and Society* 37 (4) 2008: 375-408.

It is important, however, to emphasize a key difference that distinguishes Agarwala's work from that of this thesis: whereas this thesis examines (mostly) 'self-employed' informal vendors, Agarwala examines workers who are informally employed in the tobacco and construction industries. Agarwala herself acknowledges the significance of the distinction between these two groups, arguing that they represent two sub-classes of informal actors and are integrated into class structures in different ways, with 'self-employed' informal actors lacking the structural power to influence capital—and the states that depend on it—that informally employed workers possess. Still, Agarwala emphasizes that informally employed workers make their appeals to the state rather than their employers, and they do so by using the rhetoric of citizenship rather than labour.⁷⁰ Her arguments therefore remain relevant for this thesis, even if important thematic differences must be recognized.

Other authors have specifically explored the collective action of informal vendors. John Cross' work on street vendors in Mexico City is perhaps the most significant in this regard, and certainly the most influential. Cross' particular focus is on how organized informal vendors have been able to take advantage of poor state integration and the disconnect that exists between the design and the implementation of state policy. Policies that are designed to discourage informal street vending are often not enforced, Cross argues, because the state officials charged with implementing them commonly seek the support of informal actors for their own political or monetary purposes. Street vendors are consequently able to form strategic alliances with certain government officials while simultaneously opposing particular government policies. Clientelism thus offers a means through which vendors can resist the power of the state. Interestingly, Cross asserts that the fragmented nature of vendors' organizations is essential for their success as it creates a competitive environment in which vendors' interests will never become too closely tied to any particular political group. Vendors, he claims, will never be able to exert any power over the state, but their fragmentation can at least limit the state's ability to exert power over them. Cross also explores historical instances in which the government actively sought to eradicate street vending in Mexico City, claiming that early forceful tactics only succeeded in organizing informal actors while later attempts to relocate street vendors and encourage them to formalize failed due to poor incentives. The government's insistence that negotiations be undertaken with designated leaders significantly increased the power of some vendors within a group, causing clientelism to

⁷⁰ Ibid.

permeate group hierarchies itself. Furthermore, the ability of leaders to reward their members and withhold similar benefits from non-participants overcomes the ‘free rider’ problem that commonly defines collective action. For Cross, the state therefore defines both the nature and success of informal vendors’ political actions as well as the key characteristics of vendors’ organizations.⁷¹

Cross’ emphasis on the importance of clientelism is replicated elsewhere. Veronica Crossa also argues that vendors in Mexico have been able to take advantage of the clientelist structures of the state,⁷² while Lindell notes that associations in Maputo, Mozambique engage in clientelist relations with politicians in which they exchange their votes for protection.⁷³ Mackie, Bromley and Brown do not refer to clientelism, but still claim that the ability of vendors to back a supportive mayor in local elections in Cusco, Peru was crucial for their success in the political battleground, and more significant than other associational activities or protests.⁷⁴ The significance of clientelism and democratic elections is not universally held to be beneficial, however. Michael Donovan instead argues that the introduction of mayoral elections in Bogotá, along with the decline of vendors’ associations, led to the rise of mayors who wanted to demonstrate their ability to impose the ‘rule of law’ on the city, and thus contributed to a new policy of relocating informal vendors.⁷⁵

b) Organizing

The second way in which informal actors are seen to exercise agency is by forming or participating in organizations. Involvement in associations is common amongst vendors since, as Lindell acknowledges, these are often the only bodies that defend vendors from local authorities and seek to guarantee the legal status of markets.⁷⁶ A number of studies explore the extent to which these associations can further the interests of their members and provide space for agency and

⁷¹ Cross (1998b). Also see Cross, John C., “Co-optation, Competition and Resistance: State and Street Vendors in Mexico City,” *Latin American Perspectives* 25 (2) 1998a: 41-61.

⁷² Crossa, Veronica, “Resisting the Entrepreneurial City: Street Vendors’ Struggle in Mexico City’s Historic Center,” *International Journal of Urban and Regional Research* 33 (1) 2009: 43-63.

⁷³ Lindell (2008).

⁷⁴ Mackie, Bromley and Brown.

⁷⁵ Donovan, Michael G., “Informal Cities and the Contestation of Public Space: The Case of Bogotá’s Street Vendors, 1988-2003,” *Urban Studies* 45 (1) 2008: 29-51.

⁷⁶ Lindell (2008), 1891.

voice.⁷⁷ In the introduction to a volume that they edit,⁷⁸ Naila Kabeer, Ratna Sudarshan and Kirsty Milward outline a variety of tasks that these organizations perform: the employment of ‘soft power’, such as the appropriation of cultural features to promote public awareness, the use of discursive strategies to alter popular perceptions, the use of information to educate both their own members and the broader public and legal activism; the provision of everyday practical support to their members; campaigning for social security; participating in formal politics; and forming local and global alliances with other organizations.⁷⁹ Similarly, Fergus Lyon notes how they perform essential informational, welfare, dispute resolution and co-operative and coercive functions.⁸⁰ As Sergio Peña argues, these associations also provide essential norms and regulations that can compete with or complement the state’s efforts to impose governance.⁸¹

The apparent benefits of organizing are implied in one of the major themes in the literature on informal economic activity, which is the ability of external bodies, particularly formal unions and international organizations, to either help informal actors to organize or assist existing organizations in the informal economy. The ILO has particularly encouraged organization in the informal economy as a means of ensuring adequate working conditions, and has published a number of reports detailing the achievements of such efforts in a variety of countries.⁸² It also supports the view that formal unions can play an important role in assisting organizational efforts by providing the guidance, training, institutional support and lobbying assistance that informal

⁷⁷ Examples of this work are referenced throughout this literature review. For an introduction and examples of different approaches and opinions, see: Lindell, Ilda ed., “Special Issue: Between Exit and Voice: Informality and the Spaces of Popular Agency,” *African Studies Quarterly* 11 (2/3) 2010: 1-189; Lindell ed., *Africa’s Informal Workers* (2010); and Brown, Alison, Michal Lyons and Ibrahima Dankoko, “Street Traders and the Emerging Spaces for Urban Voice and Citizenship in African Cities,” *Urban Studies* 47 (3) 2010: 666-683.

⁷⁸ Kabeer, Naila, Ratna Sudarshan and Kirsty Milward eds., *Organizing Women Workers in the Informal Economy: Beyond the Weapons of the Weak*, London: Zed Books, 2013.

⁷⁹ Kabeer, Naila, Kirsty Milward and Ratna Sudarshan, “Beyond Weapons of the Weak: Organizing Women Workers in the Informal Economy,” in *ibid*, 1-48.

⁸⁰ Lyon, Fergus, “Trader Associations and Urban Food Systems in Ghana: Institutional Approaches to Understanding Urban Collective Action,” *International Journal of Urban and Regional Research* 27 (1) 2003: 11-23.

⁸¹ Peña, Sergio, “Informal Markets: Street Vendors in Mexico City,” *Habitat International* 23 (3) 1999: 363-372; and Peña, Sergio, “Regulating Informal Markets: Informal Commerce in Mexico City,” 20 (9/10) 2000: 37-67.

⁸² Barrett, Jane, “Organizing in the Informal Economy: A Case Study of the Minibus Taxi Industry in South Africa,” SEED Working Paper No. 39, International Labour Office, Geneva, 2003; Bennett, Mark, “Organizing in the Informal Economy: A Case Study of the Clothing Industry in South Africa,” SEED Working Paper No. 37, International Labour Office, Geneva, 2003; Motala, Shirin, “Organizing in the Informal Economy: A Case Study of Street Trading in South Africa,” SEED Working Paper No. 36, International Labour Office, Geneva, 2003; “Trade Unions in the Informal Sector: Finding their Bearings: Nine Country Papers,” International Labour Organization, Labour Education 1999/3, No. 116, 1999; and Vaillancourt-Laflamme, Catharine, “Trade Unions and Informal Workers’ Associations in the Urban Informal Economy of Ecuador,” Working Paper No. 57, International Labour Office, Geneva, February 2005.

organizations require,⁸³ and that, by protecting informal actors, unions can also strengthen their own support and allow themselves to engage in the power structures that define the contemporary global economy in a more meaningful way.⁸⁴ Several scholars have articulated similar positions,⁸⁵ with some using case studies to explore specific instances in which informal actors have at least somewhat benefited from the support of either unions⁸⁶ or international groups.⁸⁷

Some authors, however, have emphasized the significant obstacles that organizations in the informal sphere commonly face. In their comparative study of street vendors' organizations, Alison Brown and Michal Lyons emphasize the importance of an organization's social capital, associational structure and the governance and institutional landscape in which it operates, along with the nature of public discourse about street trading, for its success. These factors can vary significantly across different contexts, and shape, they argue, the fact that Islamic brotherhoods in Dakar have been able to exercise political influence while product associations in Accra have proven to be inadaptable, associations in Dar es Salaam have been unable to resist attempts to minimize street trading and a vendor's union in Kathmandu has been largely unable to protect street traders from widespread oppression.⁸⁸ Meagher emphasizes the influence that the nature of

⁸³ Ahn, Pong-Sul ed., "Organizing for Decent Work in the Informal Economy: Strategies, Methods and Practices," International Labour Organization, Geneva, 2007; "Beyond Survival—Organizing the Informal Economy," International Labour Office, International Labour Organization Bureau for Workers' Activities, Geneva; "Decent Work in the Informal Economy," International Labour Organization, International Labour Office, Geneva, 2002, 77-86; and "Unprotected Labour: What Role for Unions in the Informal Economy?" International Labour Organization, Labour Education 2002/2, No. 127, 2002.

⁸⁴ "Beyond Survival—Organizing the Informal Economy."

⁸⁵ Bonner, Christine and Dave Spooner, "Organizing in the Informal Economy: A Challenge for Trade Unions," *International Politics and Society* 2 2011: 87-105; Gallin, Dan, "Propositions on Trade Unions and Informal Employment in Times of Globalisation," *Antipode* 33 (3) 2001: 531-549; and Sanyal, Bishwapriya, "Organizing the Self-Employed: The Politics of the Urban Informal Sector," *International Labour Review* 130 (1) 1991: 39-56.

⁸⁶ Selwyn, Ben, "Women and Rural Trade Unions in North-East Brazil," in Kabeer, Sudarshan and Milward eds., 49-72; Menon, Geeta, "The Challenge of Organizing Domestic Workers in Bangalore: Caste, Gender and Employer-Employee Relations in the Informal Economy," in Kabeer, Sudarshan and Milward eds., 181-204; Narayan, Lakshmi and Poornima Chikarmine, "Power at the Bottom of the Heap: Organizing Waste Pickers in Pune," in Kabeer, Sudarshan and Milward eds., 205-231; Jordhus-Lier, David Christoffer, "Moments of Resistance: The Struggle Against Informalization in Cape Town," in Lindell ed., *Africa's Informal Workers* (2010), 115-129; Boampong, Owusu, "The Possibilities for Collective Organization of Informal Port Workers in Tema, Ghana," in Lindell ed., *Africa's Informal Workers* (2010), 130-149; and Rizzo, Matteo, "Informalisation and the End of Trade Unionism as We Knew It? Dissenting Remarks from a Tanzanian Case Study," *Review of African Political Economy* 40 (136) 2013: 290-308.

⁸⁷ Solomon, Colette, "Understanding the Dynamics of an NGO/MBO Partnership: Organizing and Working with Farm Women in South Africa," in Kabeer, Sudarshan and Milward eds., 73-99; and Mitullah, Winnie V., "Informal Workers in Kenya and Transnational Organizing: Networking and Leveraging Resources," in Lindell ed., *Africa's Informal Workers* (2010), 184-201.

⁸⁸ Brown, Alison and Michal Lyons, "Seen but Not Heard: Urban Voice and Citizenship for Street Traders," in Lindell ed., *Africa's Informal Workers* (2010), 33-45.

the informal activity itself can have on the outcomes of organization efforts, arguing that, in Aba, Nigeria, cosmetics manufacturers were circumscribed by gender conflicts and legal marginalization, while shoe manufactures experienced social marginalization based on occupation, class and education and garment producers suffered due to their informal status and were plagued by internal conflicts.⁸⁹

Divisions within the informal sphere serve as a particularly significant impediment to organizational efforts. Despite his relatively optimistic view of the potential for informal actors to organize, Bishwapriya Sanyal also acknowledges that competition amongst traders for market share, different ethnic, racial and religious identities and selective assistance from the government all impede co-operative action.⁹⁰ Lindell highlights the multiple actors, identities, subjectivities, agendas, relationships and forms of power that exist within the informal sphere, arguing that it must be recognized as having a variety of internal class structures rather than a unifying class identity. Organizations are affected by these dynamics as well, as they often embody multiple identities and divisions along the lines of wealth, gender, age, race, ethnicity and religion. These multiple identities mean that informal actors can experience multiple forms of injustice, and thus must construct unity around shared meanings.⁹¹ Meagher also notes how associations often structurally reproduce communal, class and gender divisions, and are more likely to be joined by, and benefit, older, wealthier males who belong to a mainstream church than by women and younger men from smaller churches and with lower class backgrounds. Furthermore, Meagher suggests, associations are primarily used as a vehicle for attaining personal or narrow group objectives rather than as a unifying platform for collective agency, thus contributing to, rather than overcoming, social fragmentation and competition.⁹²

Matteo Rizzo's work on informal transport workers in Dar es Salaam highlights similar problems. The over-supply of non-skilled labour, the geographical dispersion of informal minibuss operators and existing divisions between full-time drivers, part-time drivers and those whose job it is to solicit passengers, he argues, serve as barriers to the formation of a collective class identity within the sector around which organizational activity could be based. The association that he

⁸⁹ Meagher, in Lindell ed., *Africa's Informal Workers* (2010).

⁹⁰ Sanyal.

⁹¹ Lindell, Ilda, "Informality and Collective Organising: Identities, Alliances and Transnational Activism in Africa," *Third World Quarterly* 31 (2) 2010: 207-222.

⁹² Meagher (2010), 105-120.

examines was marred by significant tensions over important issues: the allocation of funds, with the desire for support from members far exceeding the association's monetary capacity; the provision of shifts between different categories of workers; and the practice of buying and selling shifts. This preoccupation with the 'struggle over class', he claims, was paired with a lack of engagement with the 'struggle between classes', as the association, by focusing on providing for the welfare of its members, merely facilitated the exploitative conditions in which its members worked without making demands to or putting pressure on the state or employers.⁹³ Blessings Chinsinga and Happy Kayuni also address the problem of class fragmentation in their study of street vendors in Malawi, claiming that divisions exist between those who are literate and those who are not as well as those who are financially successful and those who are less so. Wealthier vendors, they claim, are more likely to support the *status quo*, whereas others are commonly more confrontational, creating an impediment for unified action. Furthermore, leaders of associations are more likely to be fluent in English, have formal sector experience, support the ruling party and have a more elevated socio-economic position, undermining prospects for effective representation.⁹⁴ Divisions between groups based on different economic activities has also been cited as a major hindrance to co-operation between informal actors and formal unions, with some arguing that it is difficult or impossible to reconcile the interests and relations of production that separate those in the informal sector from their formal counterparts.⁹⁵

The state can play a major role in creating and/or manipulating divisions within and between groups. The literature offers three ways in which this can occur. First, and most basically, it can directly interfere in the affairs of vendors' associations. In making this point, Lindell details how municipal authorities possibly provoked the grievances of vendors against their association in more than one market in Maputo. The motive behind such disruption is likely to undermine groups that limit the government's ability to control local markets.⁹⁶

⁹³ Rizzo, Matteo, "Life is War': Informal Transport Workers and Neoliberalism in Tanzania 1998-2009," *Development and Change* 42 (5) 2011: 1179-1205.

⁹⁴ Chinsinga, Blessings and Happy Kayuni, "The Complexities and Paradoxes of Governing the Informal Sector in Malawi: The Case of Street Vending in Zomba and Blantyre," in Banik ed., 107-129.

⁹⁵ Andrae, Gunilla and Björn Beckman, "Alliances Across the Formal-Informal Divide: South African Debates and Nigerian Experiences," in Lindell ed., *Africa's Informal Workers* (2010), 85-98; and Jimu, Ignasio Malizani, "Self-Organized Informal Workers and Trade Union Initiatives in Malawi: Organizing the Informal Economy," in Lindell ed., *Africa's Informal Workers* (2010), 99-114.

⁹⁶ Lindell (2008).

Second, as Victor Agadjanian notes in his study of vendors in La Paz-El Alto, Bolivia, economic liberalization can lead to increased competition between vendors and the dissemination of an ideology that emphasizes self-reliance and individual initiative. These economic and social consequences promote significant fragmentation amongst vendors and strengthen smaller, less inclusive identity groups that are defined by significant divisions, including those between members and non-members of associations, between wealthier and poorer vendors and between members of different ethnocultural and religious groups. Political pluralisation, he claims, further exacerbates divisions amongst the poor, leading to increased disillusionment with political processes. Economic and political liberalization can thus act as a significant barrier to collective action.⁹⁷ In her work on Aba, Nigeria, Kate Meagher asserts that liberalization further hampered organization efforts by facilitating internal conflicts and limiting available resources, reducing the potential for large-scale mobilization. She also claims that liberalization made informal organizations more dependent on the state for resources and influence, effectively limiting their autonomy and resulting in political capture.⁹⁸

Third, as Quetzil Castañeda demonstrates, efforts to control vendors and govern their behaviours can promote divisions between them. Following Foucault's employment of Jeremy Bentham's panopticon as a model of surveillance and behavioural regulation, Castañeda describes a program introduced by the state to organize, 'modernize' and regulate vendors at Chichén Itzá in Mexico. Castañeda argues that the new rules for vendors that this program introduced, despite their apparent neutrality, affected different groups of vendors in different ways, and were intended to redefine divisions and redirect resistance to their violation. Race, ethnicity, class, gender and culture therefore became the axes around which power and resistance operated.⁹⁹

While these insights are extremely relevant for this study, the role of the state in the organizational politics of informal vendors has only just begun to be explored. This represents a promising line of inquiry that is explored further in this thesis.

⁹⁷ Agadjanian, Victor, "Competition and Cooperation Among Working Women in the Context of Structural Adjustment: The Case of Street Vendors in La Paz-El Alto, Bolivia," *Journal of Developing Societies* 18 (2/3) 2002: 259-285.

⁹⁸ Meagher, Kate, "The Politics of Vulnerability: Exit, Voice and Capture in Three Nigerian Informal Manufacturing Clusters," in Lindell ed., *Africa's Informal Workers* (2010), 46-64.

⁹⁹ Castañeda, Quetzil, "On the Correct Training of *Indios* in the Handicraft Market at Chichén Itzá: Tactics and Tactility of Gender, Class, Race and State," *Journal of Latin American Anthropology* 2 (2) 1997: 106-143.

c) Small-Scale Resistance

The ability of informal actors to employ small-scale resistance strategies to respond to state repression is also commonly emphasized. The work of Asef Bayat is particularly relevant here. Informal economic activity, for Bayat, is a manifestation of a broader form of ‘street politics’, referring to the various conflicts between individuals or groups and authority figures that emerge when a public space is used—whether by vendors, squatters, street children and youth, domestic workers or protestors—for purposes other than those for which it is officially authorized and intended. Lacking other forms of economic power, and frequently without alternative livelihoods due to neoliberal forms of dispossession and exclusion, the urban poor engage in street politics through fragmented ‘social nonmovements’ as a way of expressing their discontent.¹⁰⁰ This involves, according to Bayat, the ‘quiet encroachment of the ordinary’, or the gradual, cautious, individual and spontaneous advancement of the interests of the urban poor, including informal actors, driven by the necessity of survival or the pursuit of dignity. Like Tripp, Bayat emphasizes how this represents a popular sense of morality, and while even though such encroachment lacks formal leadership, structure or ideological commitments, it nevertheless aims to alter the distribution of social goods and opportunities that exists in society while ensuring the autonomy of informal activities from the state. Still, Bayat also claims that informal actors become mobilized and undertake more overt collective action when the gains made through quiet encroachment become threatened by the state. It is therefore the actions of the state itself that politicize informal actors as resistance by the state to everyday encroachments is met with demonstrations, rallies and even riots. For Bayat, therefore, informal actors may make gains individually, but they defend them collectively.¹⁰¹

Vendors adopt a number of strategies in response to repression. Spatial exclusion is commonly contested,¹⁰² and such practices as evading or bribing authorities, concealing merchandise, increasing mobility, using children as lookouts, selling at times of low police presence and switching activities once goods have been seized are all acknowledged in the

¹⁰⁰ Bayat, Asef, *Life as Politics: How Ordinary People Change the Middle East*, Amsterdam: Amsterdam University Press, 2010.

¹⁰¹ Ibid; Bayat, Asef, “From ‘Dangerous Classes’ to ‘Quiet Rebels’: Politics of the Urban Subaltern in the Global South,” *International Sociology* 15 (3) 2000: 533-557; and Bayat, Asef, “Un-Civil Society: The Politics of the ‘Informal People’,” *Third World Quarterly* 18 (1) 1997: 53-72.

¹⁰² For the spatial contestations of informal vending, see Brown, Alison ed., *Contested Space: Street Trading, Public Space, and Livelihoods in Developing Cities*, Rugby: ITDG Publishing 2006.

literature, as are forms of mutual assistance including watching over each others' merchandise, sharing information on police actions and saving and lending money.¹⁰³ Vendors have responded to attempts to force them into permanent markets—efforts that can reduce their sales and cut them off from customers and supply networks—by creating new markets or returning to the streets, despite the harassment they face as a result.¹⁰⁴ Co-operating with shop owners can also be valuable as they can share electricity and street cleaning duties, protect merchandise and provide shelter from authorities in exchange for selling their goods on the street.¹⁰⁵ According to Griet Steel, such efforts are examples of reworking and resilience in response to power rather than resistance.¹⁰⁶ Following the work of James C. Scott and subaltern studies theorists, Francis Musoni suggests that deliberately avoiding confrontation with a powerful repressive state and instead employing adaptive strategies of evasion can allow traders to survive major eradication attempts. Still, he suggests, responses vary due to circumstances and experiences of repression, with factors such as a trader's ties to rural areas, access to financial resources and gender influencing his or her ability to recover.¹⁰⁷

Even supposedly supportive actions on the part of the state can engender resistance. Axel Baudouin et al. describe the changing relationship between informal waste collectors and the state in Addis Ababa, claiming that this was characterized by a shift from negligence on the part of the state to the formation of a partnership that ultimately facilitated the state's political dominance of informal workers through excessive interventions and, later, the introduction of government-supported enterprises that sought to replace informal workers. The state also tried to subsume existing independent organizations within a larger, state-sanctioned body, limiting informal actors' capacity for autonomous organization. Informal waste collectors responded to these efforts, Baudouin et al. claim, by increasing the frequency of their services, reducing fees and adding additional free services to become more competitive while also collectively sharing information and planning strategies to respond to the state's efforts. The ultimate effect of this partnership was

¹⁰³ See, for example: Asiedu, Alex B. and Samuel Agyei-Mensah, "Traders on the Run: Activities of Street Vendors in the Accra Metropolitan Area, Ghana," *Norsk Geografisk Tidsskrift – Norwegian Journal of Geography* 62 (3) 2008: 191-202; Musoni, Francis, "Operation Murambatsvina and the Politics of Street Vendors in Zimbabwe," *Journal of Southern African Studies* 36 (2) 2010: 301-317; Nduna, Joyce N., "The Struggles for Survival of Street Traders in Umtata, Transkei, 1980-89," *GeoJournal* 22 (3) 1990: 315-319; Crossa; Setšabi and Leduka; and Steel.

¹⁰⁴ Mackie, Bromley and Brown.

¹⁰⁵ Crossa.

¹⁰⁶ Steel.

¹⁰⁷ Musoni.

a heightened level of mistrust of the state by informal actors, demonstrating, Baudouin et al. argue, that collaboration can only take place in an environment of democratic accountability and participatory governance where informal actors are recognized and involved in decision-making processes.¹⁰⁸

According to Luis Felipe Cabrales Barajas, however, attempts to relocate informal vendors are not necessarily defined by the dynamics of repression and resistance. Indeed, Cabrales Barajas describes a co-operative and consensual effort to remove vendors from the historic centre of Morelia, Mexico that encountered only minimal dissent. Still, the extent to which widespread and diverse forms of resistance to state repression by informal vendors have been documented elsewhere suggests that this event is rather exceptional, a point that the author concedes.¹⁰⁹ Repression seems to be a major cause of resistance amongst informal vendors, and exactly how this is the case deserves further analysis.

Part III: Moving Forward

The agency of informal actors has therefore emerged as a major subject of focus in current literature on informal economic activity. While early analyses of informal economic activity largely omitted a focus on agency, neoliberal accounts of informality have come to offer a widely influential interpretation of the informal sphere as a space for the agency of the urban poor that exists beyond and in response to state power. Informal economic activity exists, according to neoliberal accounts, as the urban poor disengage from the state and the unjust, unrepresentative political and economic system from which they are excluded. For some, this disengagement can have transformative effects on state-society relations. Informality thus reflects a popular sense of morality, and informal actors desire is a favourable regulatory and tax environment accompanied by targeted assistance to aid their entrepreneurial efforts and provide an attractive path to formalization.

This thesis critiques neoliberal interpretations of informal economic activity by challenging their core assumptions about agency and the state in the informal sphere. In doing so, it builds on

¹⁰⁸ Baudouin, Axel et al., "Between Neglect and Control: Questioning Partnerships and the Integration of Informal Actors in Public Solid Waste Management in Addis Ababa, Ethiopia," *African Studies Quarterly* 11 (2/3) 2010: 29-42.

¹⁰⁹ Cabrales Barajas, Luis Felipe, "The Historic Center of Morelia: A Case of Successful Negotiation," *Journal of Latin American Geography* 4 (2) 2005: 35-56.

alternative approaches to agency in the informal sphere by emphasizing the defining role that the state plays in shaping the agency of informal actors. The significance of the state can be identified in many descriptions of the agency of agency in the informal sphere: most notably, some accounts hold that particular political realities can allow informal actors to exercise influence over political decision-making processes, while others suggest that the state can influence organization efforts and still more demonstrate how repression can foster small-scale resistance strategies. What is absent from existing literature, however, is an analysis of how agency is tied in specific ways to the evolution of the state over time, how this evolution is the result of internal power dynamics and, more specifically, how the centralized (re)assertion of power can limit the ability of informal actors to participate in urban development and economic life. Informal actors may have the ability to exercise agency, but this is both facilitated and constantly constrained by the state, making them particularly vulnerable to periods of political transformation. This thesis examines such a period of transformation, and in doing so ties different manifestations of agency into a larger account of political hegemony and the Ugandan state over which a particular subset of informal actors exert little control. It shows how the expansion of political power by the President and the ruling party has led to the contraction, but not the complete disappearance, of agency for informal vendors, and how informal actors have responded to this expansion of power in the face of increased marginalization. In doing so, it both restores the agency of informal actors and emphasizes that this agency is fundamentally dependent on the political circumstances that they must navigate, connecting the ability of informal actors to participate in urban development and economic life to issues of political control and domination that are at the heart of the state.

Kampala provides an excellent environment in which to study how the state can impact agency in the informal sphere. Such an analysis promises to not only improve understandings of informal vending and informality more generally in the city, but also to provide a unique view of the Ugandan state that builds on characterizations that can be found in existing literature. Studying the state from the ‘bottom-up’ perspective offered by informal vending provides crucial insights into how the expansion of power by Museveni and the NRM has occurred, what form(s) this expansion of power has taken, what interests it involves and how it impacts major issues of urban governance and development. Such a perspective also reveals much about how vulnerable groups experience and are constrained by the state, and how broader issues of political power lead to their marginalization. By focusing on the politics of informal vending, this thesis therefore makes a

valuable contribution to the understanding of political power and the state in Uganda more generally.

Chapter Three: Informality and the State in Uganda

An analysis of how the Ugandan state shapes the agency of informal vendors must be placed within its proper historical, political, social and economic context. The state not only shapes the agency of informal vendors in Uganda through the forms of state power that are the focus of this thesis, but is fundamentally inseparable from the existence and nature of informal economic activity itself. Without understanding these broader ties between informality and the state, any picture of agency in the informal sphere is necessarily incomplete.

The purpose of this chapter is therefore to provide an overview of Uganda's informal economy and its relation to the state. Part I outlines key features of Uganda's informal economy, both in general and with a particular focus on informal street and market vending. Part II then examines the role that the Ugandan state has played, and continues to play, in producing and perpetuating informality in the country. Six particular ways in which it does and has done so in the past are highlighted: (1) through a history of colonial planning in Kampala that divided the city's economy and introduced influential ideas about urban order; (2) by precipitating formal economic collapse through poor governance, instability and insecurity; (3) by adopting extensive economic liberalization that has led to inadequate formal employment creation and relies on the informal sphere to serve as a safety net for the failures of the market; (4) by overseeing geographic patterns of development that promote migration to urban centres, particularly Kampala; (5) by having a taxation regime that is regressive and undermined by poor service provision and corruption, discouraging formalization; and (6) through extensive corruption that undermines formalization, along with the economic interests of some state officials who personally benefit from the existence of the informal sphere.

By focusing on the relationship between informality and the state, this chapter addresses some of major themes in the literature on informal economic activity. Most notably, it contributes to long-standing debates about the emergence and persistence of informality, arguing that the state plays a crucial role in this process. In doing so, it adds to the argument that economic liberalization leads to the expansion of the informal sphere, critiques influential interpretations of the role of taxation and stresses the importance of specific aspects of a country's political economy that often receive inadequate attention. It also furthers understandings of the livelihoods that informal vending contributes to, conveying valuable empirical information on informal vending in Kampala

that cannot be found elsewhere, and questions dualist understandings of the formal and informal spheres by noting how a variety of linkages suggest significant exchange and interdependence.

It is necessary to situate the agency of informal vendors within the broader relationship between the state and the informal economy, and to emphasize how deeply ingrained and multifaceted the relationship between the state and the informal sphere is. The state not only shapes the agency of informal vendors, but is also largely responsible for the existence of informality and framing the issues that vendors exercise their agency to address. When the state represses informal vendors, therefore, it is seeking to limit the viability or independence of livelihoods that are adopted in response to circumstances that it largely creates. It is within these circumstances that vendors exercise agency as they seek to participate in urban development and economic life.

Part I: Uganda's Informal Economy

Uganda has a large and diverse informal economy. Given its economic, social and political significance, it receives inadequate attention from both scholars and policymakers. This is especially true for street and market vending. A general overview of informal economic activity in Uganda is therefore presented here, followed by a discussion of key features of street and market vending in Kampala that provide important context for considering the forms of agency that this thesis explores.

i. Overview

The UBOS is the main source of information on informal economic activity in Uganda. It estimates the size of the informal sphere at 31.991 billion UGX in 2014, compared to a formal economy of 34.448 billion UGX.¹ It breaks informal economic activity down into three groups, the largest of which is agriculture, forestry and fishing (15.45 billion UGX), followed by services (11.12 billion UGX) and industry (5.421 billion UGX).² 'Trading and repairs', at 4.055 billion UGX, is the largest sub-category of services.³

Interestingly, however, the "Uganda National Household Survey 2012/2013", the organization's most recent document on livelihoods in the country, omits the chapter on

¹ "2015 Statistical Abstract", 232-233.

² Ibid.

³ Ibid.

informality that was included in its predecessor.⁴ This earlier document, the “Uganda National Household Survey 2009/2010”, therefore provides the most detailed insight into the country’s informal sphere, even if its findings are slightly dated and, as its title suggests, it focuses on informal economic activity at the household level rather than as a general phenomenon. This focus is particularly problematic as it is not always clear if it is referring to household enterprises or all informal activities. Also significant is the fact that the survey defines informality both by the lack of registration for tax purposes and by size, counting a business as informal if it has fewer than five employees.⁵ Still, in the absence of alternative sources, it remains valuable. The survey identifies about 1,296,000 households with informal enterprises, 164,000 of which are in urban areas, in 6,227,000 households surveyed.⁶ Thirty-six percent of these businesses are in the Central region, 26% are in the Western region, 24% are in the Eastern region and 14% are in the Northern region.⁷ Broken down by sector, 27% are engaged in agriculture, 24% in trade, 15% in food processing, 14% in manufacturing, 9% in hotels and restaurants, 7% in services, 1% in fishing and 1% in mining and quarrying.⁸ It finds about 1.8 million informal businesses involving 3.5 million people, 2.1 million of whom engage in non-agricultural activities.⁹ Of this 2.1 million, 63.6% are owners, 13.3% are paid employees and 23.2% are unpaid assistants.¹⁰

The UBOS’s numbers, though, are evidently incomplete. Of the informal businesses it surveys, it claims that approximately 76,000 are located in markets or ‘trade fairs’.¹¹ Kampala alone likely has around 150,000 market vendors,¹² suggesting that the number of enterprises located in markets throughout the country is far higher than what the UBOS indicates. The survey also indicates that there are 95,000 street vendors with a fixed location in the country and a further 12,000 ‘hawkers’.¹³ It is impossible to assess whether or not these figures are also

⁴ Compare: “Uganda National Household Survey 2012/13”; and “Uganda National Household Survey 2009/2010”.

⁵ “Uganda National Household Survey 2009/2010”, 40. This definition is not even constant across UBOS publications, making measuring Uganda’s informal economy even more difficult. A study of businesses in the country, for example, characterizes any business as informal that has a fixed location and an annual turnover of less than 5 million UGX. See “Report on the Census of Business Establishments, 2010/11,” Uganda Bureau of Statistics, December 2011, 147.

⁶ “Uganda National Household Survey 2009/2010”, 144.

⁷ Ibid.

⁸ Ibid, 145.

⁹ Ibid, 144 and 146.

¹⁰ Ibid, 147.

¹¹ Ibid, 149.

¹² See Figure 3 in Chapter One.

¹³ “Uganda National Household Survey 2009/2010”, 149.

inaccurate because there is nothing to compare them to. It is evident, however, that a much more thorough study of informality in Uganda is necessary.

ii. *Street and Market Vending*

Street and market vending are two of the most visible forms of informal economic activity in Uganda.¹⁴ This is particularly true in Kampala. An overview of these activities is provided below.

a) Characteristics

Street and market vending have major similarities. Street vendors typically sell small amounts of food, particularly agricultural goods, or manufactured goods, ranging from wallets and sunglasses to books, pens and calculators. Most simply sell whatever small items they are able to acquire. Some market vendors do the same, but others sell larger amounts and a wider variety of goods due to higher amounts of capital. Articles of clothing and accessories, various types of food, electronic goods and spare parts are particularly common, some much more so at certain markets. Some market vendors provide basic services as well, such as sewing or repairs.

The main distinction between street and market vending is the location in which each activity takes place. Whereas street vendors operate on sidewalks, street corners or even streets themselves, market vendors operate in built-up (semi-)permanent markets, which are divided into open spaces, stalls and larger lock-up units that vendors use. In Kampala, street and market vending are also separated by different legal statuses and political issues that are explored throughout this thesis.

b) Entry

Respondents who were interviewed or surveyed for this thesis generally engaged in informal economic activity because it seemed to be the most logical and viable means of securing an income. This reflects the poor state of the formal labour market, and many referenced the difficulty of securing formal employment. Given the virtual absence of any semblance of a social safety net for the unemployed, when formal employment is not an option, income-seekers are

¹⁴ Unless otherwise stated, the information presented in the remainder of this section is derived from the fieldwork undertaken for this thesis. Insights from specific interviews are cited where relevant.

forced to look to the informal sphere. Informal vending remains an obvious choice, particularly in urban areas where large amounts of people and businesses—both as potential customers and suppliers—are concentrated. It is important to emphasize, however, that not all vendors are simply ‘reluctant entrepreneurs’.¹⁵ A minority, in fact, view informal economic activity as preferable to formal employment due to the fact that it is possible for some to earn a higher income in the informal sphere.¹⁶ This can be explained by the fact that the switch to informal economic activity, as Susanne Teltscher points out, usually involves a change in class position from wage labourer to *petite bourgeoisie*,¹⁷ so in circumstances where formal wages are low and the potential for informal capital accumulation is high, informality can be desirable. For some, then, informality is a choice, while for most it is a necessity. In general, those who choose informality should be more successful in their efforts at capital accumulation while those who are forced into it out of necessity should be less successful, given the fact that wage employment would lower the incomes of the former while raising the incomes of the latter. This reflects the hierarchies and divisions that exist amongst informal vendors, a theme that is explored in detail in Chapter Five.

A particularly appealing feature of informal vending for income-seekers is its relatively low entry costs. This is especially true for street vendors. Street vendors who were interviewed for this thesis had business capital as low as 10,000 to 15,000 UGX, and generally less than 100,000 UGX. Although street vending entails challenges that involve indirect costs—notably as a result of dealing with state authorities—these come after entry and still may not make street vending costlier than market vending. Entry costs are higher for market vendors, who, unlike street vendors, have to pay rent and fees in order to access their vending locations. Market vendors are much more socioeconomically diverse than street vendors, so between market vendors there can be significant differences in initial capital, ranging anywhere from, as estimated by a senior figure in Owino Market’s main ownership company, 10,000 to 100 million UGX.¹⁸ For vendors at the lower end of this range, costs can be burdensome; for those at the higher end, they are much less so.

Costs are not the only barrier to entry to informal vending. Finding space is also important. While street vendors can be mobile, they usually sell in the same locations, which can be important

¹⁵ Term taken from “Special Focus: Jobs: Key to Prosperity”, 34.

¹⁶ This point is presented in Portes and Sassen-Koob.

¹⁷ Teltscher, Susanne, “Small Trade and the World Economy: Informal Vendors in Quito, Ecuador,” *Economic Geography* 70 (2) 1994: 170-171.

¹⁸ Group interview, St. Balikuddembe Market Stalls, Space and Lock-Up Shops Owners Association Limited, 4 August 2015.

for storing goods and building relationships with customers and suppliers. An ideal location would be on a busy street with access to a high volume of potential customers, but such a concern must be balanced with potential competition from other vendors and the desire to avoid state repression. Entry into market vending necessitates finding a space in a market, which can be difficult, particularly if a location is to be desirable and affordable. The idea that markets were ‘full’ was expressed by some street vendors as a reason for why they did not relocate to a market following the criminalization of their economic activity.

Overcoming certain barriers to entry can be aided by personal ties. Friends or relatives requesting assistance or offering an opportunity to get involved in vending can allow entrants to access particular vending locations and connect with existing supply and social networks. They can also serve as an important source for finance, easing cost barriers. These personal ties were mentioned by a number of respondents as important factors behind entry into the informal sphere.

c) Livelihoods

Informal vending is usually characterized by low capital accumulation. For street vendors, earned income often provides no more than basic subsistence, and even earning enough to cover essential costs can be difficult. Between losses, particularly of perishable goods, thefts and costs incurred in dealing with state officials, profits are not guaranteed. Even when vendors are able to get a decent return on capital, low initial capital limits profits. One street vendor estimated that he could approximately double the amount of capital he injected into trading; still, his profits were low and he slept on the street.¹⁹ Many market vendors experience similar difficulties with capital accumulation. Although the surveys administered for this thesis do not necessarily capture a representative picture of market vendors, virtually all respondents indicated average weekly profits of between 30,000 and 200,000 UGX. One market vendor complained of not seeing any profits in four years, and being forced to take loans from friends to remain in business.²⁰ Importantly, however, some market vendors have incomes that are far in excess of others’, and are significantly more successful in their efforts of capital accumulation. This is again indicative of the hierarchies and divisions that exist within informal markets.

¹⁹ Interview I, street vendor, 17 August 2015.

²⁰ Interview II, Owino Market vendor, 9 July 2015.

Profits earned by vendors can be reinvested for further business activities, but are also required to cover the expenses that vendors face outside of work. These expenses are even more burdensome for those who are single parents, notably mothers, and are responsible for all household costs. For those who can afford formal or semi-formal living arrangements, purchasing land, rent, utilities and general upkeep can take up a large share of income. Many vendors cannot afford such living conditions, and live in the slums that house approximately 85% of the city's poor population.²¹ Food, a daily necessity, is another major cost. Many vendors, as expressed in one group interview, "work just to get the daily bread".²² Poor government service provision means that vendors also need to pay for things that might, under different circumstances, be free or more affordable. Public transportation in Kampala is extremely underdeveloped, and for vendors who do not live near their place of business, private alternatives can be expensive, causing some to choose to walk long distances to their vending sites in order to save money. Healthcare costs are also high, and can make treatment unaffordable. The most commonly mentioned service cost in interviews was school fees, which are charged for all levels of education and can be difficult for vendors to afford. The inability to pay school fees can perpetuate informality by forcing children to leave school, after which they enter the informal sphere because, as one market vendor stated, "[t]here is no other alternative" for livelihood support.²³ Education, however, does not guarantee entry into the formal sphere, and people of all backgrounds can participate in informal economic activity. One respondent claimed that he has paid school fees for ten children, only one of whom now has a job.²⁴

Working conditions for informal vendors are commonly poor. It is normal for vendors to work long hours in a day, seven days a week. Because they work outdoors, they face exposure to the elements, especially excessive heat and rain, the latter being a particular problem in markets as it turns dirt ground to mud. Markets are characterized by a general lack of cleanliness and poor hygiene standards, which can provide for a poor working environment and even, in extreme cases, cause health concerns, such as when Nakasero Market, the third largest in Kampala, experienced a typhoid outbreak during the first phase of fieldwork undertaken for this thesis in February and

²¹ "The Growth Challenge", 47.

²² Group interview, Owino Market vendors, 9 July 2015.

²³ Ibid.

²⁴ Group interview, Kampala Hawkers Association, 8 July 2015.

March, 2015. Cleanliness issues can also harm businesses by causing them to lose customers.²⁵ Markets can be extremely congested, with thousands of vendors concentrated in certain areas throughout the city. Stalls are sometimes only a few feet wide, and open spaces can be quite crowded. While congestion is less of a problem for street vendors, their lack of an established location raises such problems as inadequate bathroom facilities and a difficulty storing and transporting goods (something experienced by vendors in the open spaces of markets as well). The challenges that both street and market vendors face can have consequences for their health, particularly through stress and fatigue, and illness is not only expensive to treat, but can also cause vendors to forego essential income if they are unable to work.

The struggle between street vendors and the state can be viewed as a struggle over the validity of a practice that some of the urban poor depend on for their livelihoods, with street vendors seeking to protect their ability to engage in an economic activity that the state deems undesirable. Issues surrounding the ownership and development of markets are similarly crucial for the livelihoods of market vendors since they fundamentally impact capital accumulation and autonomous decision-making. The state can serve as a major obstacle in the livelihood strategies of informal vendors, but also has the ability to act in a way that could improve vendors' livelihoods. It is often around these key livelihood issues that vendors exercise agency.

d) Ties to the Broader Economy

Informal vending is intricately connected to the rest of the country's economy. As Teltscher notes, product and capital supply provide crucial linkages, and how individual vendors fit within these linkages determines the success of their activities.²⁶ Informal vendors obtain the products that they sell by a variety of means. Some buy agricultural goods directly from producers or intermediaries during deliveries into the city. Others buy manufactured goods from wholesalers, who acquire their goods from domestic and international producers. Some even purchase goods from formal businesses or other informal vendors to resell at a higher price. More successful vendors are generally better integrated into larger supply chains, whereas vendors whose activities merely provide subsistence are much less connected to established networks.

²⁵ Balimwikungu, Alex, "Hygiene Alert: No More Fresh Vegetables in Nakawa Market," *New Vision*, 27 March 2014.

²⁶ Teltscher, 167-187.

Access to capital also differs amongst informal vendors. The major problem, as one small moneylender phrased it, is that “money is expensive.”²⁷ The standard lending interest rate at Ugandan banks averaged 21.5% in 2014.²⁸ Many banks, moreover, will not lend to informal vendors due to a lack of collateral and the belief that such loans will not be repaid, forcing vendors to seek out other sources of finance on less favourable terms. Some turn to microfinance institutions or SACCOs, which can offer loans at lower rates, but for many interest rates and collateral requirements are too high. Private moneylenders remain an option, but they can charge monthly interest rates of 20-30%,²⁹ while the head of one vendors’ association claimed that this can reach as much as 500% per year.³⁰ The combination of high interest rates and low profits means that many vendors are unable to repay their loans, which can cause them to lose their collateral or even be taken to court and, unable to afford a lawyer, imprisoned for six months before being declared bankrupt.³¹ Such patterns of access both link informal vendors to the broader economy and influence, just as they are influenced by, the success of capital accumulation.

Formal-informal linkages exist not only on the supply side, however, but also through demand. Customers of informal vendors have a range of socioeconomic backgrounds, and are not just the urban poor, meaning wages earned in formal employment can directly enter the informal sphere. Lower business costs mean informal vendors are able to offer lower prices, allowing them to enjoy a competitive advantage over their formal rivals and giving them a general appeal. Some formal businesses may even purchase goods from informal vendors for resale, meaning the passage of goods between the formal and informal spheres occurs in both directions. This demand exists due to a lack of low-cost goods in the formal economy as firms seek to increase their profits. Interestingly, demand may also arise due to shortages in the public sector. For example, one interview respondent was a primary school teacher who was buying books for his students because his classroom was underfunded and under-resourced.³²

These linkages demonstrate the unsuitability of dualist understandings of informality. Rather than merely responding to the failures of the formal sphere by absorbing excess labour, the

²⁷ Interview, small moneylender, 16 July 2015.

²⁸ “World Development Indicators: Uganda,” The World Bank, 2015, accessed 13 January 2016, <http://databank.worldbank.org/data/reports.aspx?source=2&country=UGA&series=&period=>.

²⁹ Interview, lawyer, 30 July 2015; and interview, small moneylender, 16 July 2015.

³⁰ Interview, Chairperson of Nakawa Market Traders’ Development Association, 29 July 2015.

³¹ Interview, lawyer, 30 July 2015.

³² Interview, street vendor customer, 7 March 2015.

informal economy can be deeply affected by fluctuations in the formal economy. On the supply side, rising prices for the goods that vendors buy force them to raise their own prices, making them less competitive and their goods less affordable for poorer customers. Inflation is particularly harmful to vendors, and was frequently commented on throughout the research undertaken for this thesis as the shilling lost over a third of its value against the US dollar over the course of fieldwork. On the demand side, underperformance in the formal sphere in terms of growth, employment or wages can impact the informal economy by reducing customers or disposable income. Many vendors, as the head of a market association in Nakawa noted, are “pressed on both sides.”³³

Part II: The Informal Economy and the State

The state plays a crucial role in producing and perpetuating informal economic activity both in Kampala and in Uganda more generally. Six ways in which it has done and continues to do so are explored here: through colonial planning; through a history of poor governance, instability and insecurity; through economic liberalization; through geographic development trends; through tax policy; and through the self-interest of state officials.

i. Colonial Planning

Kampala’s physical and economic landscape has been profoundly influenced by its colonial heritage. Kampala first became a township under the British colonial administration in 1902, and with gradual expansion, came to cover what are now the areas of Nakasero, Kololo and Old Kampala in Kampala Central Division by the late colonial period. Colonial Kampala was adjacent to, but administratively separate from, the indigenous city of Mengo to the immediate south and west, which served as the capital of the Buganda Kingdom, the traditional home of the Baganda people, Uganda’s largest ethnic group. While Kampala was administered by the British colonial authorities and had a population that was almost exclusively made up of European and Asian (primarily Indian) settlers and their descendants, Mengo remained an indigenous settlement that was outside of the boundaries of Kampala and governed by the Buganda Kingdom. The British colonial administration adopted major urban plans for Kampala in 1912, 1919, 1930 and 1951, all of which had the same technocratic objective of designing an orderly colonial urban environment that was centred on the segregation of European, Asian and African populations for racial and

³³ Interview, Chairperson of Nakawa Market Traders’ Development Association, 29 July 2015.

(racialized) sanitary purposes. These plans still underpin the fundamental layout of the present city; the major markets in Kampala, for example, are concentrated in what were formerly the designated European and Asian trading areas around Kampala Road, particularly to the south and west before the boundary with Mengo.³⁴ Kampala was finally expanded to incorporate Mengo, along with the other indigenous towns of Nakawa and Kawempe, in 1968, six years after the end of colonial rule in Uganda.³⁵

Colonial planning in Kampala had a significant impact on the evolution of informal economic activity in the city. The early separation of Kampala and Mengo effectively created a dual city in which the African population of Mengo was excluded from the colonial city centre and economy; this division, in many ways, continues to exist. Not only do large segments of Kampala's population remain outside of the city's formal economy, but colonial understandings of urban order serve as an important precursor to the later aspirations of urban management and development that have come to play such a crucial role in the city's politics. The view that informal vending is chaotic and that it violates the city's aesthetic and sanitary standards strongly reflects colonial views of well-ordered urban space. What was formerly a system of spatial and economic exclusion along racial lines has transformed into a system of exclusion along socioeconomic lines.³⁶ Informal vendors, like the indigenous residents of Mengo before them, belong to a segment of the population that has little or no access to formal economic life in the city, and they remain unwelcome in the city centre due to many of the same understandings of urban order that came to prominence in the colonial period.

ii. *Governance, Instability and Insecurity*

Poor governance, instability and conflict have been defining features of Uganda's post-colonial history. All of these can stimulate informal economic activity by precipitating formal economic collapse. Such problems were particularly acute during the presidency of Idi Amin (1971-1979), allowing new forms of accumulation to arise.³⁷ The expulsion of the country's Asian

³⁴ Omolo-Okalebo, Fredrick et al., "Planning of Kampala City 1903-1962: The Planning Ideas, Values and their Physical Expression," *Journal of Planning History* 9 (3) 2010: 151-169.

³⁵ Makara, Sabiti, "Decentralisation and Urban Governance in Uganda," PhD dissertation, University of Witwatersrand, 2009, 235.

³⁶ For a critique of the importance of colonial heritage in the politics of vending, see Morange, Marianne, "Street Trade, Neoliberalisation and the Control of Space: Nairobi's Central Business District in the Era of Entrepreneurial Urbanism," *Journal of Eastern African Studies* 9 (2) 2015: 247-269.

³⁷ Kasfir (1983).

population and the seizure of their assets in 1972, the increased use of the state for patronage purposes and the introduction of controls all facilitated economic crisis and the rise of informality.³⁸ Indexed to 100 in 1960, Uganda's per capita GDP fell from 106 in 1971 to 66 in 1979, while domestic investments decreased from 15% to 6% of GDP, exports declined from 19% to 3% of GDP, inflation increased from 4% to 216% and external debt grew from 172.4 million USD to 590.2 million USD.³⁹ Conflict and instability continued after Amin was overthrown, with the country's next two leaders, Yusuf Lule and Godfrey Binaisa, removed from office in a period of 13 months, Milton Obote returning to the presidency following a disputed election and, most significantly, the civil war that ultimately brought the NRM to power. By the end of the war in 1986, Uganda's economy was still in far worse shape than it had been in 1971: indexed GDP had fallen to 60, domestic investments were at 8%, exports were at 9%, inflation was at 96% and external debt was at 1.422 billion USD.⁴⁰

The sustained period of economic crisis that the country experienced under Amin led to a proliferation of black market activities, known in Uganda as *magendo*. Scarcities produced by the widespread collapse of the formal economy, fuelled by unrealistically low state-imposed price controls and an overvalued official exchange rate, resulted in new forms of distribution surrounding the sale of high-demand goods and services at significantly inflated profit margins. *Magendo* proved to be highly lucrative for many involved in it, and evolved to the point where it developed its own internal class structure that was characterized by an elite group of between five and five hundred wealthy *mafuta mingi*, about 2,500 mid-level *magendoists* and, at the bottom, a group of *bayaye*, or 'thieves', which made up 7% of the country's population and was comprised of labourers, drivers, enforcers and, importantly, street vendors. The extent and cohesiveness of these hierarchies is uncertain, but they almost certainly changed dramatically when the political conditions that produced *magendo* largely disappeared with the fall of the Amin regime and a period of further political and economic upheaval ensued.⁴¹ The fieldwork undertaken for this thesis suggested no vertical linkages between street vendors and similar distribution and accumulation networks.

³⁸ Bigsten, Arne and Steve Kayizzi-Mugerwa, "Is Uganda an Emerging Economy? A Report for the OECD Project "Emerging Africa"," Nordiska Afrikaintitutet, Research Report No. 118, Uppsala, 2001, 17-18.

³⁹ Ibid, 18.

⁴⁰ Ibid, 20.

⁴¹ Kasfir (1983).

The NRM's victory did not end conflict in Uganda. It instead made it more regionalized. Tripp identifies twelve major armed groups that have engaged in conflict with the government since 1986, including one in the Central region, two in the Western region, two in the Eastern region (where cattle raiding has also been a considerable problem) and seven in the Northern region, the most notable of which is the Lord's Resistance Army (LRA). The state has played a significant role in perpetuating conflict with the LRA by severely neglecting the region and carrying out major abuses on its population, pursuing contradictory resolutions to the conflict and even allowing the war to continue for economic or political reasons. This reflects a broader marginalization of Northern Uganda by the NRM, which has its roots in the southern, and particularly western, part of the country.⁴² Such conflict can prevent formal sector development and cause significant population displacement, contributing to the growth of informality. As this thesis details, however, relocating to Kampala and engaging in informal vending does not involve becoming free from the coercive powers of the state, a reality summarized by one street vendor from Northern Uganda: "We had our animals, but they were taken by the government. We come down here to earn a living, but they won't let us... We are hurting. It is very hard."⁴³

iii. *Economic Liberalization*

Uganda has adopted extensive reforms to liberalize its economy. Initiated in two stages, first by Milton Obote in 1981 and subsequently by the NRM in 1987, in co-operation with the World Bank and the International Monetary Fund (IMF), these entailed the introduction of a standard set of market-oriented policies that were aimed at promoting growth, stabilization and a sustainable balance of payments.⁴⁴ Due to the country's subsequent performance, these reforms have been viewed as a major success. Annual growth averaged around 7% in the 1990s and 2000s,⁴⁵ exceeding the Sub-Saharan African average in both decades (2%⁴⁶ and 5.7%,⁴⁷ respectively). Inflation decreased, trade and foreign direct investment (FDI) grew and services and

⁴² Tripp (2010), 149-179. Also see Carbone, Giovanni, *No-Party Democracy? Ugandan Politics in Comparative Perspective*, Boulder: Lynne Rienner Publishers, 2008, 63-76

⁴³ Group interview, Kampala Hawkers Association, 8 July 2015.

⁴⁴ Bigsten and Kayizzi-Mugerwa, 19-23.

⁴⁵ "The Growth Challenge", 6.

⁴⁶ Ibid.

⁴⁷ "Global Economic Prospects: Having the Fiscal Space and Using It," The World Bank, Washington D.C., January 2015, 106.

industry have increased significantly, at the expense of agriculture, as a percentage of GDP.⁴⁸ Livelihoods in the country have also undergone a major transformation, with the number of Ugandans living in poverty falling from 55.7% in 1992/93⁴⁹ to 19.7% in 2012/13.⁵⁰

This performance, however, has important caveats. Early growth, while high, was significantly aided by the end of conflict, higher coffee prices and international aid, and nominal GDP per capita only returned to its 1971 level in 1996,⁵¹ while in real terms, it still lagged its 1960 level in 1999.⁵² The impact of reforms is therefore difficult to measure. Growth has also been uneven; poverty would have declined by a further 20% between 1992/93 and 2009/10 if inequality levels had remained constant.⁵³ Urban inequality has risen, from a Gini coefficient of 0.363 in 2005/06 to 0.410 in 2012/13, even while rural inequality has dropped.⁵⁴ Early performance levels have also proven difficult to sustain, with growth slowing from 2012, and inflation remains erratic.⁵⁵ The country's privatization process itself was defined by pervasive cronyism and corruption,⁵⁶ while the support provided by foreign donors for liberalization reforms has fuelled patronage by providing the government with extensive resources that can be distributed with little accountability.⁵⁷

What is particularly relevant here is how economic liberalization has impacted informality. While a lack of economic data on the historical evolution of Uganda's informal sphere makes it difficult to empirically assess the effect of liberalization, three primary mechanisms that define this causal relationship more generally can be identified. The first of these is privatization and the reduction of public employment. Throughout the 1990s, 62 of the country's 156 public enterprises were subjected to some form of privatization and a further 31 were liquidated,⁵⁸ while the number of civil servants employed by the state fell by about 50%, from 320,000 to 160,000, between 1992

⁴⁸ "World Development Indicators".

⁴⁹ Okidi, John A. et al., "Distributional and Poverty Impacts of Uganda's Growth: 1992-2003," Economic Policy Research Centre, Research Series No. 46, Kampala, Uganda, December 2005, 6.

⁵⁰ "2015 Statistical Abstract", 32.

⁵¹ "Uganda: Moving Beyond Recovery", 4.

⁵² Bigsten and Kayizzi-Mugerwa, 16 and 22.

⁵³ "Poverty Trends in Uganda: Who Gained and Who Was Left Behind?" The World Bank, Inclusive Growth Policy Note 1, 9.

⁵⁴ Ibid, 33.

⁵⁵ "World Development Indicators".

⁵⁶ Tangri, Roger and Andrew Mwenda, "Corruption and Cronyism in Uganda's Privatization in the 1990s," *African Affairs* 100 (398) 2001: 117-133.

⁵⁷ Mwenda and Tangri.

⁵⁸ Collier, Paul and Ritva Reinikka, "Reconstruction and Liberalization: An Overview," in Reinikka and Collier eds., 37. Total number of public enterprises taken from Carbone, 53. For this process, see Tangri and Mwenda.

and 1999.⁵⁹ Efforts to reduce state spending and introduce market pressures can have an immediate negative impact on formal employment by causing large numbers of people employed in the public sector and/or by parastatals to lose their jobs. Without an equivalent increase in formal employment in the private sector, many of these people will be forced into the informal sphere to secure their livelihoods. Second, free trade can increase imports that harm domestic producers, and demand for exports (where it exists) may fail to produce employment if it is met through productivity growth.⁶⁰ Such an occurrence is contrary to key components of neoclassical trade theory—notably the Heckscher-Ohlin model, which states that developing countries will take advantage of their abundant supply of cheap labour to export labour-intensive goods while importing capital-intensive goods, and the Stolper-Samuelson theorem, which states that a rise in prices for labour goods will result in increased labour demand, raising wages—but is nevertheless empirically observable.⁶¹ The fewer sectors in which a country has a comparative advantage, the larger the rise in informality resulting from liberalization will be.⁶² Finally, FDI can also harm formal employment by driving out domestic firms, by introducing new technologies and through mergers and acquisitions.⁶³

Proponents of liberalization maintain that the labour market effects of reforms represent short-term shocks rather than long-term consequences.⁶⁴ Liberalization, however, has certainly not yet led to adequate formal job creation in Uganda. Growth in output in non-agricultural sectors has not been matched by a proportional growth in demand for labour, with over 70% of Ugandans still engaged in agriculture despite its diminishing share of GDP.⁶⁵ The sectors of the economy that have experienced the most growth are not labour intensive, while sectors that do require more labour have seen little productivity growth.⁶⁶ This means that an asymmetry exists between

⁵⁹ Collier and Reinikka, 27. Carbone claims this decline took place in “less than five years”. Quoted from Carbone, 54.

⁶⁰ Lee, Eddy and Marco Vivarelli, “The Social Impact of Globalization in the Developing Countries,” *International Labour Review* 145 (3) 2006: 167-184.

⁶¹ Verick, Sher, “The Impact of Globalization on the Informal Sector in Africa,” United Nations Economic Commission for Africa and Institute for the Study of Labor, 2006; and Lee and Vivarelli.

⁶² Ghosh, Amit and Saumik Paul, “Opening the Pandora’s Box? Trade Openness and Informal Sector Growth,” *Applied Economics* 40 (15) 2008: 1995-2007.

⁶³ Lee and Vivarelli.

⁶⁴ For the argument that liberalization can have negative short-term effects followed by positive long-term effects on the labour market, see Bacchetta, Marc, Ekkehard Ernst and Juana P. Bustamante, “Globalization and Informal Jobs in Developing Countries,” International Labour Organization and World Trade Organization, 2009.

⁶⁵ “Special Focus: Jobs: Key to Prosperity”, 22-24.

⁶⁶ Ibid.

economic growth and new employment, with high growth sectors not adequately contributing to formal employment and high employment sectors not adequately contributing to growth. Employment patterns have also changed across firms. Total employment actually declined in firms with more than five employees outside of trade, manufacturing and hotels and restaurants during the 1990s,⁶⁷ and the average number of employees at larger firms fell in the 2000s.⁶⁸ Across all sectors and firms, the total number of jobs that have been created falls significantly short of the needs of the country's labour market. Uganda has the fastest growing labour force in the world,⁶⁹ outpacing job creation to the point that only about 20% of labour market entrants are able to secure wage employment.⁷⁰

The informal sphere acts as a cushion to absorb this excess labour capacity, making it a key feature of Uganda's structural transformation. Indeed, as a study by the World Bank points out, with high productivity growth and insufficient employment opportunities, the informal sphere allows the country's transition to be more broad-based, contributing to faster growth, less inequality and lower poverty.⁷¹ Without it, a significantly larger share of the country's population would be stuck in low-productivity agriculture, waiting to be absorbed into the formal labour market to participate in the country's narrow growth. Following structuralist accounts, the informal sphere also buttresses the formal economy by providing it with low-cost inputs and cheap labour, providing goods and services to formal workers with low wages and acting as a source of demand for formal sector goods. Economic liberalization therefore not only helps produce informality, but is dependent upon it for its success.

iv. The Geography of Development

Development varies significantly across Uganda, with notable differences both between and within regions. In 2012/13, 4.7% of the population in the Central region lived in poverty, compared to 8.7% in the Western region, 24.5% in the Eastern region and 43.7% in the Northern region.⁷² While the number of people living in poverty in the Central region fell by more than half between 1992/93 and 2009/10, it rose by about 300,000 in the Northern region over the same

⁶⁷ "Uganda: Moving Beyond Recovery", 36-40.

⁶⁸ "Special Focus: Jobs: Key to Prosperity", 36.

⁶⁹ Ibid, 28.

⁷⁰ Ibid, 35.

⁷¹ Fox and Pimhidzai.

⁷² "2015 Statistical Abstract", 32.

period.⁷³ Within regions, the main differences exist between rural and urban areas. In 2012/13, the urban poverty rate stood at just 9.3%, and only 0.7% in Kampala.⁷⁴ Access to basic services in Kampala exceeds both rural areas and other urban centres.⁷⁵ Employment opportunities are also concentrated in urban areas, which experienced 65% of Uganda's job creation between 2001 and 2010, and in Kampala and the surrounding area in particular.⁷⁶ Wages for these jobs are in excess of those in rural areas.⁷⁷ In total, urban areas account for 70% of non-agricultural GDP.⁷⁸

These differences make urban centres attractive alternatives to the countryside, fuelling urban growth. Although Uganda remains a largely rural country, with only 18% of its population living in cities, it is experiencing the fastest rate of urbanization in Africa.⁷⁹ Kampala is by far Uganda's largest city, containing 4.8% of the country's population⁸⁰ and 29.9% of its urban inhabitants.⁸¹ Kampala's population has increased from just 755,000 in 1990 to 1,936,000 in 2015,⁸² and the city experienced an average annual growth rate of 3.88% per year between 2010 and 2015.⁸³ These growth trends are likely to continue on their upward trajectory, with the UN estimating that Kampala, with an average annual growth rate of 5.09%, will be the fourth fastest growing city in the world between 2025 and 2030, behind only Niamey (6.09%) and Zinder (6.08%), Niger, and Bujumbura, Burundi (5.24%).⁸⁴

This urban growth contributes to the prevalence of informal economic activity. This is primarily because it is not accompanied by adequate formal job creation. In fact, the portion of the country's jobs located in urban areas fell from 75% in 2001 to 70% in 2010.⁸⁵ The state is heavily implicated in this process of urban growth and informality. Primarily, as discussed above, it has failed to prioritize formal job creation, forcing the informal sphere to absorb the impact of the transition from agricultural to non-agricultural work. It has also facilitated this process by failing to address, or, through its development plans, exacerbating, rural/urban differences. One street

⁷³ "Poverty Trends in Uganda", 3.

⁷⁴ "Uganda National Household Survey 2012/2013", 86.

⁷⁵ "The Growth Challenge", 47.

⁷⁶ *Ibid*, 29.

⁷⁷ *Ibid*.

⁷⁸ *Ibid*, 41.

⁷⁹ *Ibid*, 38.

⁸⁰ "World Urbanization Prospects: The 2014 Revision," 467.

⁸¹ *Ibid*, 433. The World Bank puts this figure at 35%. See "The Growth Challenge", 33.

⁸² "World Urbanization Prospects: The 2014 Revision," 345.

⁸³ *Ibid*, 400.

⁸⁴ *Ibid*, 371-404.

⁸⁵ "The Growth Challenge", 42.

vendor argued that the government does not sufficiently invest in agricultural development given the share of the country's population that is involved in the sector,⁸⁶ while another similarly complained that "the government doesn't care to look for markets for the [agricultural] products we have."⁸⁷ As a Member of Parliament from Kampala pointed out, the government has allowed Kampala to become the country's unrivalled economic and political centre where jobs and services are concentrated, but uses its coercive power against the informal street vendors who come to the city in search of better livelihoods.⁸⁸ As this study details, such efforts have caused many vendors to leave Kampala and relocate either to the city's periphery or back to the countryside. They have not yet, however, succeeded in eradicating street vending.

v. *Taxation*

The government of Uganda is currently undertaking a concerted effort to formalize the country's informal sphere by bringing it within the national tax structure. The primary rationale for such efforts is to enhance revenue collection by broadening the tax base, but proponents of similar plans elsewhere also claim that taxing the informal sphere can have the more general benefits of promoting economic growth and good governance.⁸⁹ Uganda's need to boost domestic revenue collection is clear: at 11.9%, the share of its GDP that the government takes in as revenue is extremely low, falling considerably short of both the regional average and total expenditures.⁹⁰ This figure has remained stagnant since reaching around 12% in 1997 after rising from just 7% in 1991.⁹¹ Efforts to tax the formal sphere were intensified with the introduction of Uganda's 2015/16 National Budget, which, amongst other changes, made TINs mandatory and increased the threshold for presumptive tax from 50 million UGX to 150 million UGX. The URA expected the changes introduced with the budget to raise revenue mobilization to 14% of GDP, a figure that is still comparatively low.⁹² By June 2015, one month before these measures came into effect, 21,047

⁸⁶ Group interview, street vendors, 8 July 2015.

⁸⁷ Group interview, Kampala Hawkers Association, 8 July 2015.

⁸⁸ Interview, Member of Parliament, Parliament of Uganda, 27 July 2015.

⁸⁹ "Africa Tax Spotlight," Tax Justice Network – Africa Newsletter, Second Quarter, Volume 2, 2012; and Joshi, Anuradha, Wilson Prichard and Christopher Heady, "Taxing the Informal Economy: Challenges, Possibilities and Remaining Questions," International Centre for Tax and Development, Working Paper 4, August 2012.

⁹⁰ "The Growth Challenge", 14.

⁹¹ Fjeldstad, Odd-Helge, "Corruption in Tax Administration: Lessons from Institutional Reforms in Uganda," Chr. Michelsen Institute, Working Paper 2005: 10, 2005, 2.

⁹² Figure taken from Ladu, Ismail Musa, "How To Widen Tax Base to Gain Additional Revenue in Next Budget," *Daily Monitor*, 2 June 2015. Also see: "Tax Changes as per 2015/16 National Budget," Uganda National Chamber of

people, including 20,368 in Kampala, had already been registered through TREP, bringing in 800 million UGX,⁹³ while the URA had identified 100,000 informal businesses to target for tax payments.⁹⁴

Of course, neoliberal analyses of informal economic activity point to taxation as a major source of informality. The logic of this argument rests on the comparative costs and benefits of formality and informality: as taxation raises the costs of formality, it offsets the benefits of formalization, changing the calculus that enterprises face.⁹⁵ There is evidence to support this view. Dissatisfaction with what was seen as excessive taxation was frequently expressed in interviews and surveys. A spokesperson for KACITA criticized the number of taxes formal businesses are subject to, including corporate income tax (30%), value-added tax (18%), withholding taxes (6%) and import duties (25%).⁹⁶ One small shop owner complained of having to pay 200,000 UGX in taxes on a 400,000 UGX income, with a further 150,000 UGX going to rent.⁹⁷ Another was similarly unhappy about having to pay 2 million UGX in combined taxes and rent on an income of 2.5 million UGX.⁹⁸ A third complained that taxes, combined with various fees and transportation costs, can raise the cost of importing a container of goods in excess of the value of the goods themselves.⁹⁹ Operating in the informal sphere does not mean that one is free from the effects of these taxes. Informal vendors may pay some taxes themselves, which can force them to raise their prices, diminishing their competitiveness and making their goods unaffordable to many of their customers, particularly those who also engage in informal activities.¹⁰⁰ Even a vendor who does not personally pay taxes can still be affected by higher prices when a supplier is taxed.¹⁰¹

Concerns about taxes are tied to broader complaints about the costs that Uganda's current regulatory structure imposes on formal businesses. The World Bank's Doing Business project ranks Uganda's regulatory environment at 122nd in the world according to a set of criteria derived

Commerce and Industry, accessed 4 January 2016, <http://www.chamberuganda.com/news/tax-changes-as-per-201516-national-budget/>; Akol, Doris, "Informal Sector is Threat to Tax Revenue Collection," *The Observer*, 13 May 2015; Tentena, Paul, "Uganda Goes After Informal Sector," *East African Business Week*, 14 June 2015; and Busuulwa, Ladu, "How To Widen Tax Base to Gain Additional Revenue in Next Budget".

⁹⁴ Nantaba.

⁹⁵ See Chapter Two, Notes 57-61.

⁹⁶ Interview, KACITA representative, 11 July 2015.

⁹⁷ Interview I, shop vendor, 17 August 2015.

⁹⁸ Interview II, shop vendor, 17 August 2015.

⁹⁹ Group interview, shop vendors, 8 July 2015.

¹⁰⁰ Ibid.

¹⁰¹ Interview I, Owino Market vendor, 9 July 2015.

from the principles of economic liberalism, noting that it takes 27 days and 39.7% of per capita income to start a business and that such tasks as acquiring construction permits, getting electricity and property registration can be both lengthy and costly.¹⁰² The country's Business Licensing Reform Committee "conservatively" estimates the annual costs of adhering to all requirements for a business license to be 725.73 billion UGX, equal to 3.49% of GDP.¹⁰³ Concerns about these costs were expressed in interviews with both the Kampala City Traders Association (KACITA)¹⁰⁴ and the Private Sector Foundation Uganda (PSFU).¹⁰⁵ It is possible that such costs serve as a disincentive for formalization.

The relationship between taxation and informality, however, is not as simple as the neoliberal argument suggests. Uganda's taxation system likely contributes to the prevalence of informal economic activity in the country, but the reason it does so is not because rates are too high. Three other factors are commonly ignored: that poor service provision by the Ugandan government means that there are few incentives to pay; similarly, that widespread corruption means that many believe money paid in taxes will not be spent for the public good; and that rates are not necessarily too high, suggesting that all business taxes need to be reduced, but that they are too regressive, with the government neglecting to implement more progressive alternatives that would target different sources of revenue.

A significant dissatisfaction with the poor quality or lack of services provided by the government was expressed by a number of interview respondents. This was explicitly linked to views on taxation, and the argument that people would be much more willing to pay their taxes if they felt their money would be spent on services that had an identifiable personal or social benefit. As one respondent claimed, "[p]eople would be much happier to pay if they saw where their money was going", stating: "I would be much happier to pay tax if I went to public schools and they had facilities, if I went to hospitals and they had medicine.... Why should I give you my money for garbage collection when I'm going to have to pay someone to collect my garbage? If you want me to pay you, then get somebody to collect my garbage."¹⁰⁶ This is particularly pronounced for

¹⁰² "Economy Profile 2016: Uganda," Doing Business 2016: Measuring Regulatory Quality and Efficiency, The World Bank Group, Washington D.C., 2016.

¹⁰³ "Report on Uganda's Business Licensing Reforms," Volume I, Business Licensing Reform Committee, March 2012.

¹⁰⁴ Interview, KACITA representative, 11 July 2015.

¹⁰⁵ Interview, PSFU representative, 20 July 2015.

¹⁰⁶ Interview, KACITA representative, 11 July 2015.

informal actors who receive little from the government either as economic agents or members of the urban poor. As one street vendor put it, the government “milk[s] the cow without giving it grass”, demanding taxes from informal vendors while providing them with little or no support.¹⁰⁷ The URA’s internal research recognizes that popular perceptions of the government have a major impact on tax compliance, with views of service provision the most important factor in this regard. The problem from the perspective of the URA, however, is that it is specifically tasked with the collection of revenue, and detached from the broader political processes that form policy and influence compliance.¹⁰⁸ If paying taxes involves a calculation of costs and benefits, the government is not providing adequate inducements for formalization.

Paired with the widespread dissatisfaction with service provision is the popular perception that money paid to the state in taxes will merely be stolen by corrupt officials.¹⁰⁹ A spokesperson for KACITA questioned why a person should have to pay their taxes “to send the money to government for personal use rather than public good”.¹¹⁰ Corruption is a significant problem in Uganda, with the country ranked 139th of 175 in Transparency International’s Corruption Perceptions Index.¹¹¹ Corruption is pervasive throughout major government institutions, including the URA, where real wages are declining, poor performance has few consequences and political interference and patronage are common.¹¹² The fact that officials may accept or demand bribes in exchange for tax relief further undermines revenue collection. One study finds that, for a firm, on average, a one percent increase in bribe payments per employee results in a seven percent reduction in taxes per employee.¹¹³

There are also significant problems surrounding the progressivity of Uganda’s tax system. Even though the country’s corporate tax rate is set at 30%, and presumptive taxes are approximately 1.5% to 3% (and 0% under 150 million UGX),¹¹⁴ non-agricultural household enterprises, many of which are informal, have an effective tax rate of 52%.¹¹⁵ This means that taxes on businesses are, in effect, regressive, and consume a larger share of income for smaller

¹⁰⁷ Group interview, street vendors, 8 July 2015.

¹⁰⁸ Group interview, URA, 11 August 2015.

¹⁰⁹ Nkonge, Alan G., “Ugandans Evade Taxes because of Corruption and Ignorance,” *Daily Monitor*, 28 June 2013.

¹¹⁰ Interview, KACITA representative, 11 July 2015.

¹¹¹ “Corruption Perceptions Index 2015,” Transparency International, 2016.

¹¹² Fjeldstad.

¹¹³ Gauthier, Bernard and Jonathan Goyette, “Taxation and Corruption: Theory and Firm-Level Evidence from Uganda,” *Applied Economics* 46 (23) 2014: 2755-2765.

¹¹⁴ “Tax Changes as per 2015/16 National Budget”.

¹¹⁵ “Poverty Trends in Uganda”.

enterprises than larger firms. While the Ugandan government seeks to expand the country's tax system within the informal sphere, it ignores other major sources of revenue. Uganda is one of the few countries in the world where owner-occupied residential properties are not taxed,¹¹⁶ despite the fact that property taxes have minimal impact on economic activity and are generally proportionate to a taxpayer's wealth. Foreign investors also receive generous exemptions. One study lists three different tax incentives offered to all investors, four to exporting companies, two special corporate and withholding tax exemptions, seven incentives for businesses operating in designated free trade areas and a variety of sector-specific incentives.¹¹⁷ The African Development Bank estimated the total revenue lost to these incentives in 2009/10 to be at least 690 billion UGX, equivalent to two percent of GDP.¹¹⁸ This figure rose to about 1.5 trillion UGX in 2013/14, a year when total revenues were approximately 8 trillion UGX.¹¹⁹ As a result, more of the tax burden is falling on (generally) poorer informal actors than wealthier international investors. Such exemptions are not only damaging to revenue collection, but also make little economic sense. One survey found that over 92% of investors benefiting from tax incentives in Uganda would have made the same investments even if no incentives were on offer.¹²⁰ Indeed, many of the foreign donors that Uganda depends upon for a significant portion of its national budget have expressed dissatisfaction with the impact of the country's tax incentives on domestic revenue mobilization.¹²¹

Uganda's tax system therefore contributes to the prevalence of informality in the country. It does so, however, not because rates are too high, but because revenues are disconnected from service provision, corruption undermines compliance and the entire regime is regressive and poorly designed for revenue maximization. Failures in the country's tax system therefore reflect broader failures in governance. The informal economy is currently being targeted while these remain unaddressed.

¹¹⁶ "The Growth Challenge", 57.

¹¹⁷ "Tax Competition in East Africa: A Race to the Bottom? Tax Incentives and Revenue Losses in Uganda," Tax Justice Network-Africa and ActionAid International, April 2012.

¹¹⁸ *Ibid*, 1.

¹¹⁹ Ladu, Ismail Musa, "Shs 1.5 Trillion Lost Annually in Tax Exemptions," *Daily Monitor*, 21 December 2015.

¹²⁰ Awasthi, Rajul, "How Effective is the Tax Incentives Regime in Uganda," *The Observer*, 3 July 2012.

¹²¹ Mbanga, Jeff, "Tax Incentives Must End Now – IMF Boss," *The Observer*, 10 December 2003; and Mweisgwa, Alon, "Experts Warn Against Tax Incentives," *The Observer*, 3 April 2012.

vi. *The Self-Interest of State Officials*

State corruption, as discussed above, can promote informality by reducing tax compliance. More generally, it can also reduce economic growth,¹²² and while growth has not led to adequate formal employment creation in Uganda, lower growth due to corruption is not conducive to formal sector expansion. At a lower level, corruption amongst state officials who are charged with carrying out efforts to reduce informality can result in poor enforcement. This, again, can be true for tax administrators, or, as detailed in this study, for those charged with implementing Kampala's ban on street vending. Indeed, the problem that street vendors in particular face is not merely that the state is excessively regulatory, but that it is also predatory, with state agents taking advantage of vendors' vulnerability.¹²³

Besides merely being corrupt, state officials may also have direct economic interests in particular informal sectors. Kampala's ubiquitous *matatus* are commonly owned by politicians, particularly in the NRM, who are able to undermine attempts to regulate the industry, and have experienced a level of success in resisting the attention of the state that stands in notable contrast to, as one Member of Parliament highlighted, the experiences of street vendors.¹²⁴ Less widely known is the fact that many state officials allegedly own structures, often several, in major markets throughout Kampala,¹²⁵ something that is likely facilitated by plans to sell market space to investors to finance redevelopment projects. These economic interests offer little incentive to alter the *status quo* surrounding informality, or, in the case of markets, provide a strong incentive to support development plans that will lead to personal financial gain.

The interest that state officials have in the informal sphere is not merely financial. As this thesis explores, politicians can rely on informal actors for electoral support, and in exchange for providing this support, informal actors are able to enjoy a certain degree of political protection. Thus, the desire for expanding or reinforcing political power can clash with other regulatory objectives surrounding urban management and development, allowing informality to thrive despite official formalization or regulation efforts. As this thesis details, however, such a system of

¹²² Gyimah-Brempong, Kwabena, "Corruption, Economic Growth, and Income Inequality in Africa," *Economics of Governance* 3 (3) 2002: 183-209; and Mo, Pak Hung, "Corruption and Economic Growth," *Journal of Economic Growth* 29 (1) 2001: 66-79.

¹²³ A similar point is made in Anjaria.

¹²⁴ Interview, Member of Parliament, Parliament of Uganda, 27 July 2015. The ownership of *matatus* is also discussed in Goodfellow (2010), 17-18.

¹²⁵ Interview, anonymous source, 13 August 2015.

exchange is dependent on particular political circumstances; when these circumstances change, it can similarly be in the interests of state officials to repress informal actors or seek to impose forms of urban management and development that are exclusionary. How and why these circumstances change in the context of efforts by the President and the ruling party to monopolize political power, and how informal vendors respond to these changes as they seek to participate in urban development and economic life in Kampala, is precisely what this thesis studies.

Part III: Conclusions

Informal vending in Uganda is therefore inseparably tied to the state. Through past colonial planning, a history of poor governance and instability, economic liberalization, geographic development trends, its taxation regime and the self-interest of state officials, the state has played a major role in the emergence and growth of the country's informal sphere, both in Kampala and elsewhere. In the absence of adequate formal employment opportunities and formalization incentives, the informal sphere has become a key livelihood source for a significant portion of the country's population, underlying the supposed success of Uganda's economic transformation. Despite the crucial developmental role that it plays, however, the informal sphere is nevertheless targeted by the state for failing to adhere to a particular notion of development, meaning that the state both creates conditions in which informal economic activity becomes a crucial form of livelihood support while also (inconsistently) punishing those who engage in it.

With an appropriate understanding of the relationship between the state and the informal economy in Uganda, it is possible to analyze how the state shapes the agency of informal vendors. The following two chapters undertake this task. Each focuses on a particular instance in which efforts by the President and the ruling party to monopolize political power have limited, but not completely eliminated, the agency of informal vendors in Kampala: first, the rise and subsequent criminalization of street vending; and second, ongoing disputes surrounding market ownership and development. The narratives of expanding political power and contracting vendors' agency provided in these chapters together form the core of this thesis.

Chapter Four: The Rise and (Partial) Fall of Street Vending in Kampala

Street vending is fundamentally inseparable from the political environment in which it takes place. It is with the state that vendors must negotiate access to the public space that they depend on for their livelihoods, and it is the state's aspirations for urban management and development that street vendors must contend with or try to insert themselves into. The relationship that street vendors have with the state can define their very existence: if the state is accommodating, vendors can be free to trade on the streets with minimal hindrance and assert their right to participate in an urban economy from which they are otherwise excluded; if, on the other hand, the state is more hostile, then street vendors can face repression and active attempts to eradicate their activities, perpetuating their marginalization. This relationship is not merely static, but evolves over time as political conditions change and the ability of street vendors to influence decision-making expands and contracts as a result. The significance of such changes is particularly notable in Kampala, where street vendors have been profoundly impacted by the political evolution of the city under the NRM.

This chapter explores how the political evolution of Kampala has impacted the agency of street vendors and limited their ability to participate in urban development and economic life. It argues that the ability of street vendors to exercise agency benefited significantly from the decentralization and democratization programs introduced by the NRM, and was subsequently restricted as the central government reversed decentralization and democratization by taking over the city's government. Decentralization and democratization in Uganda were always implemented in a way that benefitted the ruling party and the President, and manipulated or reversed for the same purpose when necessary. In Kampala, they resulted in a situation where a newly empowered city government was controlled by the opposition, and where major divisions between the opposition and the NRM led to an intense competition for popular support that street vendors were able to take advantage of as a key urban voting demographic. Seeking to regain control of the city, the central government introduced a new city government in 2011 that is largely under the control of centrally appointed technocrats rather than elected politicians. Since the introduction of the KCCA, these technocrats have sought to secure their control over policy formation and implementation, further marginalizing elected officials. As a means of justifying its existence, the KCCA has introduced ambitious development and urban management initiatives aimed at

transforming Kampala into a supposedly modern, orderly and well functioning city. Street vending, which has been framed as an embodiment of urban chaos, uncleanness, insecurity and a lack of economic order—the antithesis of everything the KCCA stands for—has been banned and vendors face significant repression, while restricted political environment that exists under the KCCA has meant that street vendors no longer have the ability to improve their condition by exercising political influence. The agency of street vendors has greatly diminished as a result, resulting in their widespread exclusion from urban development and economic life even as they have sought new ways to respond to repression.

This chapter is primarily divided into two parts. Part I addresses how decentralization and democratization created a highly divided political environment under the KCC that allowed street vendors to provide support for politicians in exchange for favourable treatment. This allowed street vendors to remain on the streets despite attempts to evict them or regulate their activities. Part II examines how the introduction of the KCCA dramatically transformed the political circumstances in which street vendors are able to operate. It discusses how the KCCA, in both its structure and operation, marginalizes elected politicians at the expense of technocrats that are appointed by the central government (and often by the President), closing the channels for external influence that street vendors previously took advantage of. It also emphasizes the role that notions of development and urban management play in justifying the existence of the KCCA, and demonstrates how this has led to the repression of street vendors as undesirable elements of a modern urban landscape and economy. It then explores how street vendors have responded to repression compliance and co-operation, resistance and attempts at further organization. Each of these strategies has been met with major obstacles and all have major flaws, even as they demonstrate how street vendors are able to exercise at least some agency despite their lack of political influence. Finally, it considers the effect of the return of political competition during the 2016 elections, arguing that while reduced repression allowed street vendors to make small gains, these gains were mainly temporary as repression resumed shortly after the election period was over.

Part I: Decentralization, Democratization and Street Vending in Kampala

The agency of street vendors in Kampala dramatically expanded as a result of the decentralization and democratization programs carried out by the NRM in the county as a whole.

Due to the NRM's reforms, the KCC gained significant powers over the management of Kampala while also becoming much more subject to the influence of popular opinion as transmitted through local elections. This created a situation in which local politicians with considerable control over the construction and implementation of policy also relied on popular support for their positions, causing many, in the city's highly divided political environment, to pursue the support of key urban voting demographics to allow them to remain in office and gain an advantage in partisan political struggles. Street vendors were able to take advantage of this situation by offering their support for politicians in exchange for protection. As a result, street vending thrived under the KCC.

i. Decentralization and Democratization Under the NRM

Decentralization and democratization have been two key features of Uganda's political evolution under the NRM. Both have increased opportunities for political participation, but both have also unfolded in a way that has benefited the NRM's political dominance and the power of the President. Each is explored here.

a) From Resistance Councils to Local Government

The NRM has championed decentralized participatory forms of political organization from as early as 1981, the first year of its war with the Obote government. This support was most notably manifested in the establishment of village-level political units known as Resistance Councils (RCs) in areas under NRM control. Originally set up in 1981 to provide support for the NRM's war effort, in 1982, RCs were made more inclusive and democratic to encourage broad-based participation, and came to serve as the *de facto* government in many areas, providing security, law enforcement and essential services. Despite being a wartime creation, RCs were maintained after the NRM came to power, and with the passage of the National Resistance Council and Committees Statute in 1987, they were introduced across the country as official local government bodies, with a hierarchical five-tier government system from the village to the district level. Elections were held at the village level, while representatives would appoint members of higher level committees and councils. The central government, however, maintained significant control over personnel decisions and revenue under the 1987 statute, while district political leaders were directly

appointed by the President.¹ Museveni introduced a policy of further decentralization in 1992, leading to a further transfer of powers under the Local Governments (Resistance Councils) Statute of 1993 and greater financial support through the newly established Local Government Commission.²

Resistance Councils were renamed Local Councils (LCs) in 1995. Decentralization was enshrined in the country's Constitution in the same year, which stated that “decentralisation shall be a principle applying to all levels of local government and, in particular, from higher to lower local government units to ensure peoples’ participation and democratic control in decision making.”³ The structures of the country's decentralized political system were legislatively outlined in the Local Governments Act of 1997, which officially adopted the hierarchical system of decentralized authority that still exists in the country:

Figure 5: The Local Council System (italics indicate local government; others are administrative units)⁴

	Rural Areas	Municipalities	Cities
LC1	Village	Village	Village
LC2	Parish	Parish (if under Municipal Division); Ward (if under Town)	Ward
LC3	<i>Sub-County</i>	<i>Municipal Division</i> (if under Municipal); <i>Town</i> (if not)	<i>City Division</i>
LC4	County	<i>Municipal</i>	-
LC5	<i>District</i>	<i>District</i>	<i>City</i>

¹ Lambright, Gina M. S., *Decentralization in Uganda: Explaining Successes and Failures in Local Governance*, Boulder: FirstForumPress, 2011, 24-25; and Carbone, 31-32.

² Rubongoya, 108-109.

³ Quoted from “Constitution of the Republic of Uganda,” 1995, Chapter Eleven, Article 176, Section 2, Subsection (b).

⁴ Adapted from “Local Governments Act,” 1997, Part III and Part V; and Makara, 51.

The Act provides for district/city councils (LC5) to be led by a popularly elected chairperson serving as an executive and political head. In city councils, this position is given the title ‘mayor’. District/city councils are made up of elected councillors representing geographic areas and other councillors representing particular demographic groups. The chairperson/mayor and other appointed councillors make up an executive committee that, amongst other duties, formulates policy that is approved by the council.⁵ District/city councils have both planning and legislative powers,⁶ along with the authority to raise revenue and design and implement budgets.⁷ Lower local councils at the sub-county, municipal, municipal division/town and city division (LC3/LC4) levels have similar structures with chairpersons/mayors, councils and executive committees.⁸ They too have legislative powers in their ability to pass byelaws,⁹ and possess the same budgetary and revenue powers.¹⁰ Administrative units at the county (LC4), parish/ward (LC2) and village (LC1) levels lack such powers, and instead have more advisory, problem-solving, monitoring and assistive functions.¹¹ The executive committees of parish/ward and village councils are also to engage in “self-help projects”, recruit for security/law enforcement bodies, communicate with other levels of government and monitor other government projects and activities.¹² All adults who are 18 years or older are members of a village council, from which an executive committee is formed; all members of village executive committees in a designated area form a parish/ward council, from which another executive committee is formed; and all members of sub-county executive committees in a designated area form county councils, from which a chairperson and vice chairperson are elected by council members.¹³

The NRM had significant reasons for promoting decentralization and constructing the RC/LC system. As Rubongoya argues, a decentralized political system cohered with the social roots of the NRM, and particularly Museveni’s own combination of populism and paternalism, by building on its rural support base and empowering the peasantry at the expense of the centralized state.¹⁴ Other reasons were more firmly grounded in self-interest. During and immediately after

⁵ “Local Governments Act,” Part III, Sections 9-22.

⁶ Ibid, Part IV, Sections 35-38, 40-44.

⁷ Ibid, Part VIII, Sections 74-85.

⁸ Ibid, Part III, Sections 23-26.

⁹ Ibid, Part IV, Section 39.

¹⁰ Ibid, Part VIII, 74-85.

¹¹ Ibid, Part V, Section 48.

¹² Ibid, Part V, Section 49. Quoted from *ibid*, Part V, Section 49, Subsection 2.

¹³ Ibid, Part V, Sections 46-47.

¹⁴ Rubongoya, 60-67.

the war, RCs allowed the NRM to broaden its support base and attain legitimacy,¹⁵ with Rubongoya even going so far to claim that “during the first five years of NRM rule, the LC system [sic] was without question *the* most important legitimizing strategy adopted by the NRM”.¹⁶ RC/LCs have been extremely popular for extending participatory democracy to villages throughout the country that had no history of such inclusive governance,¹⁷ providing a crucial link between the country’s centre and peripheral regions that have traditionally been excluded from political power.¹⁸ They also allowed the NRM to gain widespread popular support at the expense of the country’s traditional political parties,¹⁹ and undermined calls by Baganda elites for a federal system that would give more power to the Buganda Kingdom (now a subnational kingdom in Uganda’s Central Region).²⁰ Popular opinion also played an important role in Museveni’s 1992 endorsement of greater decentralization, which was partly due to the public input gathered by the Constitutional Commission.²¹ It was not only domestic opinion that mattered, however. Decentralization also followed from the recommendations of the World Bank,²² given how crucial foreign support and the economic growth that this allowed for was, and continues to be, for the NRM’s legitimacy.²³ The policy of decentralization received widespread international praise, and the NRM’s efforts were presented as a model for other developing states to follow.²⁴

Decentralization therefore strengthened the NRM’s political hegemony throughout Uganda. The primacy of self-interest in guiding decentralization has meant that maintaining or expanding the power, influence and dominance of the Movement has hindered truly independent forms of popular decision-making. Decentralization has been directed by and carried out in a way that suits the NRM, and has been undermined or even reversed accordingly.²⁵ This has taken many forms: the existence of Resident District Commissioners (RDCs), appointed by the President, who report problems with LCs to the central government; the loss to the central government of the

¹⁵ Ibid, 67-69 and 104-112.

¹⁶ Quoted from *ibid*, 69. Emphasis in original.

¹⁷ Kasfir, Nelson, ““No-Party Democracy” in Uganda,” *Journal of Democracy* 9 (2) 1998: 53.

¹⁸ Carbone, 35.

¹⁹ Muhumuza (2009), 27.

²⁰ Makara, 144-149.

²¹ Rubongoya, 108-109.

²² Ibid.

²³ Carbone, 63-76; and Rubongoya, 86-90, 118-124 and 152-157.

²⁴ Carbone, 32; and Tripp (2010), 114.

²⁵ Divisions existed within the NRM concerning how much power should be devolved from the central government, with some supporting further decentralization and others resisting it. Still, decentralization was carried out in a way that ultimately maintained and even expanded the party’s hold on power. See Rubongoya, 110.

ability to appoint and replace Chief Administrative Officers (CAOs), the heads of local administration, who then took over the power to appoint members of tender boards, the bodies responsible for awarding contracts; the central government's influence over the membership of District Service Commissions, which oversee the appointment of district government staff; the 2001 amendments to the Local Governments Act that gave the LC1 chairperson the power to nominate five of the remaining eight (previously elected) executive committee members; the erosion of financial independence and the increasing reliance on the central government for funding (explored in Chapter Five); the takeover of salary payment by the central government; and, as this chapter explores, the takeover of the KCC.²⁶ There has always been a tension between RC/LCs as state bodies and as local organs of the NRM. While they are formally state institutions, they are also closely tied to the Movement, a duality that was made even more acute by the ambiguity of the NRM under the Movement system (discussed below). RC/LCs have certainly performed pro-Movement functions, with complaints that some have used coercive power against the opposition during elections,²⁷ while RDCs have openly campaigned for the NRM.²⁸ This lack of independence means, as Green notes, the RC/LC system is "less a check on the power of the central government than an extension of its control into local areas."²⁹

RC/LCs suffer from further problems. They have often been dominated by local elites, a problem that is exacerbated by education and literacy requirements for holding office. Corruption is endemic, damaging popular support.³⁰ Local officials may not be adequately qualified to perform their duties, and the large-scale proliferation of districts has been costly and inefficient.³¹ Because the RC/LC structure involves a hierarchy of appointed positions, RC/LCs have been in some ways less democratic and representative at higher levels. A recommendation to make positions at all levels directly elected was rejected by the NRM on the grounds that such a measure would increase sectarian divisions.³² A lack of reliable local revenue streams also makes RC/LCs largely dependent on the central government for financial support, a problem that has become

²⁶ Lambricht (2011), 26-31; and Tripp (2010), 117-120.

²⁷ "Hostile to Democracy: The Movement System and Political Repression in Uganda," Human Rights Watch, 1999, 74-78.

²⁸ Rubongoya, 110.

²⁹ Quoted from Green, Elliott, "Decentralization and Development in Contemporary Uganda," *Regional and Federal Studies* 25 (5) 2015: 496.

³⁰ Muhumuza, William, "Between Rhetoric and Political Conviction: The Dynamics of Decentralization in Uganda and Africa," *The Journal of Social, Political, and Economic Studies* 33 (4) 2008: 439-446.

³¹ Green (2015), 497-503.

³² Kasfir (1998), 54-55.

increasingly acute as the percentage of local budgets made up by local revenue generation fell from a highpoint of about 80% to as low as 5% in the mid-2000s. Local decision-making is further limited by the fact that most of the money transferred by the central government is in the form of conditional grants.³³ A culmination of such problems has seen popular participation in the LC system decline even as LCs themselves remain popular.³⁴

More generally, as this chapter shows, the failures of the LC system can also precipitate conditions that provide the central government with the opportunity to justify further interventions into local politics. Since many of these failures stem from the central government's continuous manipulation of decentralization, recentralization can be seen as a response to conditions that the NRM is in many ways itself responsible for. This process has perhaps most notably played out in Kampala.

b) From 'No-Party' Democracy to Multipartyism

Like decentralization, the NRM has also expressed support for democracy virtually from its inception. And like decentralization, the NRM has pursued a form of democratization that has aided its consolidation of power, and continuously manipulated and undermined democratization for its own purposes. Support for democratic governance was the first point of the NRM's *Ten Point Programme*, its major policy document released during the civil war.³⁵ The RC system that emerged during the conflict was an early and visible manifestation of this position. The reforms introduced at the national level were no less transformative. Upon taking power in 1986, the NRM introduced a broad-based coalition government that included representatives from across the country's social and political spectrum.³⁶ At the same time, in its first legal notice in January 1986, it banned almost all political party activities in the country.³⁷ This ban was justified based on the position that the country's post-independence history of conflict and instability was the result of sectarian regional, ethnic and religious differences that were embodied in and exploited by traditional political parties. Logically, therefore, political parties had no place in a truly democratic, inclusive, representative and stable system of government.³⁸ It also had its roots in Museveni's

³³ Muhumuza (2008), 446-450.

³⁴ Tripp (2010), 115.

³⁵ "Ten Point Programme of the NRM," National Resistance Movement, 1981.

³⁶ Tripp (2010), 48-49.

³⁷ Carbone, 78.

³⁸ Kasfir (1998), 50-53; and Carbone, 1-24.

pseudo-Marxist—and indeed both flawed and condescending—claim that Uganda, as a primarily rural agricultural country, largely lacked the class divisions that existed in more ‘developed’ countries, and that the underdeveloped political consciousness of the peasantry could be taken advantage of by divisive political organizations.³⁹ The alternative established by the NRM was a ‘no-party’ system in which candidates ran on individual merit within the structure of the Movement, which was framed as an all-encompassing political system rather than merely a political party. For Museveni, political parties were sectarian vehicles to advance elite interests; the Movement, on the other hand, transcended party divisions and allowed for true popular democratic participation.⁴⁰

After early attempts to build a broad-based coalition, the inclusivity of the government slowly eroded from the end of the 1980s as the NRM began to exercise a more exclusive hold on power, marginalizing those outside of the Movement (known as ‘multipartyists’ for their support for a return to multiparty politics) and its regional support base in the southwest of the country.⁴¹ The NRM’s increasing monopolization of power is reflected in the creation of the country’s new Constitution. A Constitutional Commission (also known as the Odoki Commission) was established from 1989 to 1992 in order to both consult with and educate Ugandans about the creation of a Constitution. It received at least 25,547 submissions from the public.⁴² Senior NRM figures were part of the Commission, which was financed by the central government, while not a single member openly opposed the Movement system. The Commission wrote a draft Constitution which domestic critics claimed reflected more the desires of the NRM hierarchy than popular input.⁴³ Elections for delegates to a Constituent Assembly that would adopt a new Constitution were then held in 1994. The NRM supported favourable candidates and campaigned against multipartyists and proponents of a broad-based government, and even arrested some multipartyists within the government, charging them with treason.⁴⁴ Two hundred and fourteen seats in the Constituent Assembly were directly elected, while another 74 were open to appointment. Eight of these appointed seats were allocated to political parties (two of which declined to make appointments, leaving four seats vacant), while 66 appointees relied on the NRM in various ways

³⁹ Kasfir (1998), 57-60.

⁴⁰ Tripp (2010), 77.

⁴¹ Carbone, 91-92; and Tripp (2010), 49; and “Hostile to Democracy”, 65.

⁴² Tripp (2010), 78.

⁴³ Carbone, 36-37; and Tripp (2010), 78-79.

⁴⁴ Tripp (2010), 50.

for their positions.⁴⁵ Once the Constituent Assembly was elected, a Movement Caucus formed within it to advance the official positions of the NRM.⁴⁶ Supporters of the Movement system successfully defeated the efforts of multipartyists within the Constituent Assembly.⁴⁷

‘No-party’ democracy based on the Movement system was made the key feature of Ugandan politics in the 1995 Constitution. Article 70 stated that the Movement system “is broad-based, inclusive and non-partisan”, and that it conforms to the principles of “(a) participatory democracy; (b) democracy, accountability and transparency; (c) accessibility to all positions of leadership by all citizens; (d) individual merit as a basis for election to political offices.”⁴⁸ As Carbone acknowledges, the Movement system was only vaguely outlined beyond these principles, leaving its specific features to be legislatively defined when necessary⁴⁹ since Article 70 also gave Parliament the power to “create organs under the movement political system and define their roles” and “prescribe from time to time any other democratic principle of the movement political system, as it may consider necessary.”⁵⁰ These powers were (officially) limited by Article 75, which prohibits Parliament from establishing a one-party state.⁵¹ Indeed, political parties were authorized under Article 72, and while they are subject to Parliamentary regulation under Article 73, it is stated that such regulations “shall not exceed what is necessary for the political system adopted to operate.”⁵² Still, parties faced significant restrictions, including, under Article 270, “(a) opening and operating branch offices; (b) holding delegates’ conferences; (c) holding public rallies; (d) sponsoring or offering a platform to or in any way campaigning for or against a candidate for any public elections; (e) carrying on any activities that may interfere with the movement political system for the time being in force.”⁵³ A referendum on the country’s political system was mandated to be held in the last month of the fourth year of the first Parliament elected under the Constitution (i.e. 2000), and campaigning for the referendum was to begin in the Parliament’s third year.⁵⁴ Multipartyism, which would be the main alternative in the referendum, was also subjected to limitations, most notably that all parties must have “a national character” and that membership

⁴⁵ Ibid, 80.

⁴⁶ Ibid, 50.

⁴⁷ Ibid, 82-84.

⁴⁸ Quoted from “Constitution of the Republic of Uganda,” Chapter Five, Article 70, Section 1.

⁴⁹ Carbone, 89-90.

⁵⁰ Quoted from “Constitution of the Republic of Uganda,” Chapter Five, Article 70, Section 2.

⁵¹ Ibid, Chapter Five, Article 75.

⁵² Ibid, Chapter Five, Articles 72 and 73. Quoted from *ibid*, Chapter Five, Article 73.

⁵³ Quoted from *ibid*, Chapter Nineteen, Article 270.

⁵⁴ Ibid, Chapter Nineteen, Article 272.

“shall not be based on sex, ethnicity, religion or other sectional division”.⁵⁵ The first national elections under the new Constitution were held on May 9th (for the Presidency) and June 27th, 1996 (for Parliament). Museveni was elected President with over 74.3% of the vote, and Movementists won 156 of 276 seats in Parliament (all candidates ran independently under the Movement system).⁵⁶

Parliament used its powers to further define and build the structure of the Movement with the 1997 Movement Act. The Act made all Ugandans members of the Movement, from village Movement councils at the local level to a National Movement Conference for Members of Parliament (MPs). The hierarchical system of LCs was essentially replicated under the Movement system, with village to district bodies all falling under the National Movement Conference, which acted as a national secretariat.⁵⁷ The structure of the Movement thus became a state-funded bureaucracy,⁵⁸ with bodies that were staffed exclusively by those holding public office.⁵⁹ As a report by Human Rights Watch (HRW) comments, “it is difficult to see the role of this second system of structures which essentially duplicates the first—except as a form of partisan party structure normally associated with one-party states.”⁶⁰ What the Movement Act essentially did, the report notes, was create “a state-sponsored political organization disguised as a “political system””, the purpose of which was “to mobilize support for the NRM’s movement government system and for a vote in favor of the retention of this system in the [2000] referendum.”⁶¹ The Act was passed by Parliament despite the fact that, even with the NRM’s significant parliamentary majority, a quorum for the vote was not met, suggesting divisions within the NRM itself surrounding the nature of the Movement.⁶²

The constitutionally mandated referendum on the return to multipartyism was held on June 29th, 2000. When the first Referendum Act was passed on July 1st, 1999, its vote, like that for the Movement Act, fell short of quorum, with the support of only 50 MPs, and was subsequently declared unconstitutional by the Constitutional Court. A second piece of legislation, the

⁵⁵ Quoted from *ibid*, Chapter Five, Article 71, Subsection (a) and (b).

⁵⁶ “Elections in Uganda,” African Elections Database, accessed 11 March 2016, <http://africanelections.tripod.com/ug.html>.

⁵⁷ “Hostile to Democracy”, 79.

⁵⁸ Rubongoya, 139.

⁵⁹ Carbone, 95.

⁶⁰ Quoted from “Hostile to Democracy”, 80.

⁶¹ Quoted from *ibid*.

⁶² Rubongoya, 139.

Referendum (Political Systems) Act, was passed on June 6th, 2000 in just three hours after parliamentary rules were suspended and the secret ballot for the vote was eliminated. This second act was also declared unconstitutional in 2004, although the referendum on multipartyism that was held in accordance with it was allowed to stand. Because political party activity was not deregulated prior to the referendum, the NRM was the only political organization allowed to campaign. The Movement also had access to state funds and influenced state administrators. The referendum campaign was characterized by significant problems with voter registration, intimidation and access to information that led to a widespread lack of understanding of the exact purpose of the vote. The country's two largest opposition parties, the Uganda Peoples' Congress (UPC) and the Democratic Party (DP), led a boycott of the vote based on the principle that political organization is a fundamental right. Many Ugandans who opposed both the Movement and the country's traditional political parties simply did not vote. As a result, the referendum passed with 90.7% of the vote with a voter turnout of only 51.1%.⁶³ Research by Michael Bratton and Gina Lambright suggests that a strong minority of Ugandans supported multipartyism at the time, while majorities did in Kampala and Northern Uganda.⁶⁴ Museveni subsequently won the 2001 Presidential election with over 69.3% of the vote while Movementists continued to dominate Parliament.⁶⁵

In March 2003, Museveni, at a meeting of the Movement's National Executive Committee, recommended a transition to multipartyism.⁶⁶ This reversed the Movement's long-held position on multipartyism just nine months after the extremely restrictive (and subsequently overturned) Political Parties and Organisations Bill was passed by Parliament in June 2002.⁶⁷ In October 2003, the NRM-Organization (NRM-O) registered as the first official political party of the Movement period. The NRM-O formally coexisted with the separate Movement structure until 2006, but the two shared a basic infrastructure and key positions were filled by the same people, making any distinction between them superficial. The NRM-O was even being funded by the state during this time. The Movement's transition from a 'system' into a political party therefore involved very

⁶³ Bratton, Michael and Gina Lambright, "Uganda's Referendum 2000: The Silent Boycott," *African Affairs* 100 (400) 2001: 429-452; Carbone, 39-40; Rubongoya, 141-142.

⁶⁴ Bratton and Lambright, 447.

⁶⁵ "Elections in Uganda".

⁶⁶ Carbone, 191-192.

⁶⁷ Tripp (2010), 85.

little change.⁶⁸ The second referendum on the return to multipartyism, held on July 28th, 2005, reversed the results of the first, passing with over 92.4% of the vote with a voter turnout of 46.2%.⁶⁹ Crucially, the Movement Act was not repealed.⁷⁰

In March 2003, the same month that Museveni first recommended the switch to multipartyism, a proposal was also presented to amend the Constitution to remove the two-term limit for holding the office of the President, a change that would allow Museveni to run in the 2006 elections and remain in office indefinitely. The Constitution was successfully amended after, Mwenda claims, “Museveni’s lieutenants made free use of bribery, blackmail, and naked intimidation.”⁷¹ Two hundred and thirteen of 305 MPs were given bribes of 5 million UGX to support the amendment,⁷² and senior NRM figures who opposed it were removed from their positions.⁷³ The return to multipartyism was widely seen as a concession in exchange for the lifting of Presidential term limits, but as Michael Keating argues, it is possible to view both as beneficial to Museveni and the NRM. The transition to multipartyism can also be understood as an attempt to strengthen executive power at the expense of a somewhat independent and occasionally oppositional Parliament by furthering parliamentary divisions and leading to the imposition of party discipline.⁷⁴ It also satisfied the international donors that provide such crucial support for the NRM.⁷⁵ Changing popular opinion may have been a factor as well: a 2002 poll found that support for multipartyism was at 67%, while 63% already viewed the Movement as a political party (and it was, importantly, the most popular political party in the country).⁷⁶ Museveni has won three Presidential elections—in 2006, 2011 and 2016—since the repeal of term limits, and the NRM has won large majorities in Parliament on the same three occasions since the return to multipartyism.

Like decentralization, therefore, the defining feature of Uganda’s democratization process has been increased political openness under conditions that are favourable to the ruling party, and a resistance to or reversal of democratization if and when such steps further or maintain the political dominance of the NRM. The President, of course, has played a key role in this process.⁷⁷

⁶⁸ Carbone, 102-104.

⁶⁹ “Elections in Uganda”.

⁷⁰ Lambright (2011), 28.

⁷¹ Quoted from Mwenda, 24.

⁷² Tripp (2010), 86.

⁷³ *Ibid.*, 76.

⁷⁴ Keating.

⁷⁵ *Ibid.*

⁷⁶ Cited in Tripp (2010), 85.

⁷⁷ Carbone, 29-47.

Museveni has always engaged in a highly personal form of rule in which he conflates strengthening or acting in the interests of the executive with public empowerment. For example, he publicly framed his campaign to eliminate presidential term limits as an effort to remove an unnecessary government restriction that prevented the will of the country's people from being realized, and has also presented disputes with the judiciary in similar terms. No-party democracy, like decentralization, followed from Museveni's populist approach to politics and antipathy to traditional political parties and institutions, as well as his self-styled image as a political outsider with a stated desire to return political power to the people from the central government.⁷⁸ The switch to multipartyism allowed the President to stay in office and consolidate his power.

The Movement system was crucial to the NRM's strategic implementation of democratization reforms. This is most notable in the significant tension that always existed between the Movement's *de jure* status as a political system and its *de facto* status as a political party. Such a duality blurred the lines between party and state to such an extent that the country effectively became a one-party state with all democratic activity taking place under a hegemonic body, or at best what Carbone describes as a "hegemonic party-state system" that is between a one-party state and a pluralist democracy, with a dominant group exercising power in the presence of weak and ineffectual opposition groups.⁷⁹ The benefits of characterizing the Movement as a political system rather than a political party are obvious. Doing so allowed the government to maintain the significant amount of international support that it enjoyed as a result of its willingness to carry out political and economic reforms and the 'successes' that these had entailed. It also allowed the NRM to effectively engage in all of the activities that it denied to its rivals by maintaining the structures and performing the functions of a political party.⁸⁰ Forced to run on 'individual merit', opposition candidates lacked the types of organizational support that Movementists enjoyed, making the task of challenging the Movement extremely difficult. There was an effective balance, therefore, between legitimacy and control, with hegemony disguised as universality. Of course, claims to inclusivity were exaggerated: not only were multipartyists and opposition parties marginalized, but ethnic and geographic divisions also remained as the NRM maintained a highly regionalized power base with political positions largely occupied by

⁷⁸ Ibid, 77-88.

⁷⁹ Ibid, 104-108. Quoted from Ibid 105.

⁸⁰ "Hostile to Democracy", 84-85.

individuals from the country's southwest, the region that also disproportionately benefited from the country's economic growth.⁸¹ The continuous creation of new administrative districts further politicized ethnicity and facilitated internal divisions.⁸² The nature of the country's democracy during the Movement period was complicated further by the fact that the NRM, for much of its early history, had effectively no internal democracy. As Kasfir notes, "[u]ntil the 1995 Constitution required Parliament to establish a structure for the Movement, the NRM had never held an election for any of its officers, never convened a body to deliberate or vote on its policies, nor even written a charter for itself."⁸³

The NRM's efforts to monopolize political power have not been curtailed by the end of the Movement system, but have instead continued in other ways. The return to multipartyism, which can itself be viewed as a move to strengthen the executive, was accompanied by the lifting of presidential term limits. Significantly for this chapter, the same bill that ended presidential term limits, The Constitution (Amendment) Act of 2005, also provided for the central government's eventual takeover of the city of Kampala.⁸⁴ Democratization has been accompanied by many other examples of the expansion of executive power: attempts to intimidate the judiciary, the most notable being the 'Black Mamba' episodes of November 2005 and March 2007 when paramilitary units surrounded the High Court to influence decisions on members of an alleged (and fictitious) rebel organization, supposedly including opposition leader Kizza Besigye; attempts to influence Parliament by bribing, withdrawing support from or even coercing MPs; efforts to silence dissent by arresting journalists and raiding the offices of media outlets; and the repression of political opponents, particularly during election periods.⁸⁵ It is within this context and the NRM's—and executive's—continuing efforts to maintain and/or expand power that the events described in this chapter must be considered.

⁸¹ Carbone, 63-76.

⁸² Ibid, 33-35.

⁸³ Quoted from Kasfir (1998), 61.

⁸⁴ "The Constitution (Amendment) Act," 2005, Article 2 and Article 28; and "The Constitution (Amendment) (No.2) Act," 2005, Article 2. The Constitution (Amendment) Act is made up of these two Acts that are referred to collectively. Also see "Constitution of the Republic of Uganda: Amended by the Constitution (Amendment) Act," Act 11/2005, 2005, Chapter Two, Article 5 and Chapter Seven, Article 105, Section 2.

⁸⁵ For these and other examples, see: Carbone, 77-88; and Tripp (2010) 86-107.

ii. *The Kampala City Council in Local and National Politics*

Decentralization and democratization had a profound impact on the politics of Kampala. With roots in Uganda's pre-colonial and colonial history, Kampala first became a municipality with 31 councillors and a mayor, all of whom were appointed, in January 1949. A city council was established in September 1962, immediately before the country's independence the following month.⁸⁶ Local governments in Uganda became largely elected bodies with independence, but after 1962, no local elections were held until 1980, and even then, most local councillors were appointed during Obote's second presidency.⁸⁷ This changed significantly under the NRM. Within the LC hierarchy, the KCC was a city council (LC5) with a directly elected mayor and 31 elected councillors, above five city divisions (LC3)—Central Division, Kawempe Division, Lubaga Division, Makindye Division and Nakawa Division—each of which also had its own elected chairperson and councillors. Below the city divisions were a further 99 parishes (LC2) and 811 villages (LC1).⁸⁸ The NRM also greatly expanded the powers of the KCC, devolving to it 80% of all services and leaving only national roads and secondary and post-secondary education under the control of the national government.⁸⁹ Thus the twin processes of decentralization and democratization simultaneously gave the KCC more powers and autonomy over its affairs while also making its officials more subject to popular opinion and dependent on popular support.

While the NRM continued to dominate both national politics and the Local Council system across the country, the opposition established itself as the leading political force in Kampala under the KCC. In 1998, the city's first mayoral elections were won by multipartyist and populist Nasser Ntege Sebaggala (commonly known as 'Seya'), who defeated incumbent and NRM favourite Christopher Iga in what was commonly seen as a rejection of the President.⁹⁰ Sebaggala was arrested in the United States just two months later for fraud related to forged traveller's cheques and given a 15 month jail sentence in February 1999.⁹¹ A by-election held in 1999 was won by John Ssebaana Kizito (known as Ssebaana), another multipartyist, who was re-elected in 2002.

⁸⁶ Makara, 234.

⁸⁷ Ibid, 6-8.

⁸⁸ Stelman, Ursula M., "Understanding Organisational Performance in the City of Kampala: Implementation of Local Government Development Projects (2003-10)," Africa Power and Politics Programme, Working Paper 27, Overseas Development Institute, November 2012, 7.

⁸⁹ Goodfellow, Tom, "State Effectiveness and the Politics of Urban Development in East Africa: A Puzzle of Two Cities, 2000-2010," PhD Dissertation, The London School of Economics and Political Science, 2012, 90.

⁹⁰ Fisher, Ian, "Kampala Journal; When a Questionable Past Pays Political Dividends," *The New York Times*, 18 July 2000.

⁹¹ Ibid; and "Kampala Welcomes Fraudster Ex-Mayor," *BBC News*, 3 February 2000.

Sebaggala was again elected mayor in 2006 after having returned to Kampala in 2000 to what the BBC described as a “hero’s welcome”.⁹² Both Sebaggala and Ssebaana were widely known to be DP supporters, but ran as multipartyists before 2006 since the DP could not officially field candidates under the Movement system. In 2006, Sebaggala ran as an independent due to conflicts with the DP leadership, defeating the DP candidate, Hasib Takuba, along with his other opponents.⁹³ Significantly, Sebaggala left the DP in February 2010 before joining the NRM the following September, a change that is explored further in the following chapter. Still, multipartyists/DP supporters won the four mayoral elections held under the KCC. The DP also controlled the city council after the return to multipartyism; from 2006-2011, 17 KCC councillors were DP members, 11 represented the NRM and three were independents.⁹⁴ The opposition thus dominated city politics throughout the KCC’s existence.

The opposition’s power, however, was constantly challenged by the NRM, turning the KCC into what an article in the *Daily Monitor* referred to as “Uganda’s main political battleground.”⁹⁵ As described in the following chapter, this mainly occurred in two ways: first, through direct interference, particularly by the President, in matters under the KCC’s authority; and second, by denying the KCC essential funding and sources of revenue that it needed to properly function. These conflicts significantly undermined the KCC’s ability to address the various developmental and urban management challenges that it faced, a reality that was often lamented by local politicians, including both Sebaggala and Ssebaana.⁹⁶ Traffic congestion, poor roads and inadequate local service delivery such as garbage collection were constant problems in the city, while the KCC also oversaw the growth of informal structures and slum areas, the proliferation of *boda-bodas* and *matatus* and, as this thesis addresses, conflicts over street and market vending.⁹⁷ Indeed, the growth of Kampala under the KCC occurred in such a way that one politician referred to the city, in a frequently quoted phrase, as a “modern executive slum”.⁹⁸

⁹² Quoted from “Kampala Welcomes Fraudster Ex-Mayor”.

⁹³ Lambright (2012), 4.

⁹⁴ Kasozi, Ephraim and Al-Mahdi Ssenkibirwa, “NRM Dominates City Council Seats,” *Daily Monitor*, 16 March 2011.

⁹⁵ Quoted from Tamale, Lillian, “Political Interference is Behind Poor Services in Kampala City,” *Daily Monitor*, 21 September 2010.

⁹⁶ See, for example: Businge, Conan, “Government is Failing City Council, Says Seya,” *New Vision*, 3 December 2007; and Byenkya, Alfred, “Politics Failed KCC, Says Sebaana,” *New Vision*, 16 March 2011.

⁹⁷ Each of these issues was widely commented on in the national media throughout the KCC’s existence. For just one example, see Alweny, Salome, “Kampala: City of Chaos,” *Daily Monitor*, 25 September 2007.

⁹⁸ Quote by Daniel Muliika, former politician in Buganda Kingdom. Cited in Lambright (2012), 1.

It is not simply the case, however, that the opposition-led KCC regularly attempted to implement forms of urban management that were ultimately and consistently undermined by the NRM. While this certainly occurred, the defining political reality of the KCC is that divisions between the NRM and the opposition in Kampala caused crucial issues pertaining to the government of the city to become politicized, and also caused concerns surrounding political advantage to supersede those of policy formation and implementation. This made politicians particularly dependent on support to further interests that were often unrelated to governance. Such a reality provided space for street vendors to exercise political agency.

iii. *Street Vending and the Kampala City Council*

Street vending was officially regulated by the KCC. At a national level, the Trade (Licensing) Act of 1969 mandated that street vendors must possess a licence from a local authority outlining the type of goods they could sell, the area in which they could operate, the hours during which they could be on the street and “such other conditions as the [local] licensing authority may think fit to impose.”⁹⁹ A license could be refused or revoked at any time, was valid for a year and had to be produced upon request.¹⁰⁰ The KCC sought to implement further regulatory measures. It first ordered vendors to be evicted in December 2000,¹⁰¹ then did so again in July 2001¹⁰² and September 2001.¹⁰³ In April 2002, the KCC undertook Operation Safe City, a major effort to remove vendors from the city’s streets.¹⁰⁴ Vendors largely complied with minimal confrontation,¹⁰⁵ while those who did not faced prosecution.¹⁰⁶ In 2006, the KCC passed the Local Governments (Kampala City Council) (Maintenance of Law and Order) Ordinance, which banned all forms of street vending for those lacking official permits.¹⁰⁷ The Town Clerk (the equivalent of a CAO in urban areas) again banned street vending in October 2010.¹⁰⁸

⁹⁹ “Trade (Licensing) Act,” 1969, Section 16. Quoted from “Trade (Licensing) Act,” Section 16, Subsection 3, 3.

¹⁰⁰ *Ibid*, Sections 16-19.

¹⁰¹ Mwanje, Robert, “Traders Return to the Streets,” *Daily Monitor*, 9 August 2007a.

¹⁰² Kigozi, Catherine and Cyprian Musoke, “Vendors to Go,” *New Vision*, 20 July 2001.

¹⁰³ “City Vendors Get Deadline,” *New Vision*, 13 September 2001.

¹⁰⁴ Kamali, Geoffrey, “KCC Battles Vendors Again,” *New Vision*, 2 May 2002; Kamali, Geoffrey, “Vendors Get Friday Deadline,” *New Vision*, 24 April 2002.

¹⁰⁵ Mitullah, 17.

¹⁰⁶ See, for example: “5 Convicted,” *New Vision*, 11 May 2002; “156 Vendors,” *New Vision*, 3 June 2002; and “Vendor Jailed,” *New Vision*, 12 July 2002.

¹⁰⁷ “Local Governments (Kampala City Council) (Maintenance of Law and Order) Ordinance,” 2006, Part IV.

¹⁰⁸ Mwanje, Robert, “Town Clerk Bans Street Vending,” *Daily Monitor*, 12 October 2010.

Despite these efforts, street vending was still common under the KCC. Interview subjects for this thesis expressed a widespread agreement on this fact, both in positive (by vendors themselves) and negative (by those opposed to street vending) terms.¹⁰⁹ Vendors were occasionally harassed, and periodic attempts to remove them from the city's streets certainly occurred, but orders to leave the streets were often ignored, or if they were followed, vendors would quickly return. It was the politics of the KCC that allowed this to happen.

In a competitive electoral environment, KCC politicians effectively entered into what Judith Tandler refers to elsewhere as a 'devil's deal' in which promises of protection are traded for political support from informal actors.¹¹⁰ In simple terms, politicians and vendors in the city entered a tacit—and sometimes explicit—agreement in which access to space was effectively exchanged for votes; politicians, seeking advantage in Kampala's highly contested local politics and with the power to influence enforcement, were willing to relax or undermine enforcement as a means of strengthening their political positions, allowing street vendors to use their position as a key urban voting demographic to pursue their political objectives.¹¹¹ As a result, laws against street vending, as a KACITA spokesperson complained, "were enforced selectively" by politicians who valued their positions of power more highly than city streets free of vendors.¹¹² Vendors were aware of their own power when faced with evictions; even Sebagala himself reflected on the political pressure that street vendors could exert: "Whenever I wanted to evict people who were trading in illegal areas, they would threaten that they would not vote for me again."¹¹³ The demands of staying in office and gaining the upper hand in the constant struggles between the NRM and the opposition outweighed any concerns about eradicating street vending.

Street vendors also organized under the KCC to exercise their political agency. In fact, KCC officials supported organization as a means of facilitating revenue collection, promising further support.¹¹⁴ One former street vendor leader claimed that there were 17 major street vendor organizations with about 500 members each under the KCC.¹¹⁵ This would suggest that organization was extremely widespread, particularly considering that there were an estimated

¹⁰⁹ Opposition to street vending was primarily expressed by KACITA. This had significant implications that are explored below. Interview, KACITA representative, 11 July 2015.

¹¹⁰ Tandler, Judith, "Small Firms, The Informal Sector, and the Devil's Deal," *IDS Bulletin* 33 (3) 2002: 1-14.

¹¹¹ Interview, Usafi Vendors Association Member, 10 July 2015.

¹¹² Interview, KACITA representative, 11 July 2015.

¹¹³ Quoted in Byenkya.

¹¹⁴ Interview, Usafi Vendors Association Member, 10 July 2015.

¹¹⁵ Ibid.

8,500 street vendors in Kampala near the end of the KCC's existence.¹¹⁶ The extent of organization, however, could not be verified, and such a claim was not supported by other respondents. What is more certain is that street vendors who worked in shared geographic areas often organized in groups of various sizes, with the largest having at least a few dozen members who would elect leaders to serve specific administrative functions. These larger associations would support politicians who offered favourable treatment, and could also communicate with elected officials, particularly the mayor, on issues of primary importance to street vendors, including access to space, arrests, cleanliness and security. Politicians would not only offer protection and seek to resolve conflicts in vendors' favour, but would also sometimes offer financial support for vendors to cover costs such as school fees. Associations would also organize revenue payments, and organize and assist payments on behalf of members related to permits, debts and bills in the event of illness or death.¹¹⁷ They had certain disciplinary functions as well, with one former leader saying they would ensure that only "honest" vendors were able to sell in their areas of influence.¹¹⁸

The NRM's democratization and, with decentralization, political empowerment of the KCC therefore had a profound effect on the agency of street vendors in Kampala. By giving local politicians extensive powers over the city's development and making them reliant on popular support for their positions, reforms created a political situation in which street vendors were able to leverage the support they could provide in exchange for favourable treatment from local authorities. Thus, the trend that Cross identified in Mexico City—vendors resisting laws by aligning themselves with self-interested politicians—could also be found in Kampala under the KCC, where the dynamics of competition between the ruling party and the opposition and the split between the local and national government assumed a greater importance.¹¹⁹ The legal restrictions and occasional evictions that vendors in the city faced demonstrate the type of ambivalence that characterizes treatments of street vendors in a wide variety of settings.¹²⁰ That ambivalence, however, was dependent upon the peculiarities of the political realities that existed in Kampala. When these realities changed, the ambivalence disappeared.

¹¹⁶ Lambright (2012), 22.

¹¹⁷ Group interview, street vendors, 24 February 2015; group interview, Usafi Vendors Association, 18 July 2015; and interview, Usafi Vendors Association Member, 10 July 2015.

¹¹⁸ Group interview, Usafi Vendors Association, 18 July 2015.

¹¹⁹ Cross (1998b).

¹²⁰ Setšabi and Leduka.

Part II: The Politics of Repression

If decentralization and democratization precipitated the rise of street vending in Kampala under the KCC, then a reversal of these processes led to its decline under a new recentralized, less democratic city government. The repression of street vending followed directly from the central government's takeover of the city, with the KCCA pursuing a form of development and urban management that excluded street vendors and street vendors lacking the opportunity for political influence due to reduced political competition in a less democratic system of local government. The 'devil's deal' that street vendors were able to profit from under the KCC all but disappeared under the KCCA; no longer able to trade their political support for protection, vendors saw their agency greatly reduced and were forced to find new ways to adapt to their changed political circumstances. These efforts have experienced little success, meaning vendors' political exclusion has translated into a broader exclusion from urban development and economic life in the city.

i. The Introduction of the Kampala Capital City Authority and the National Resistance Movement's Reassertion of Power

The repression of street vending in Kampala can only be understood within the context of the transition of the city's government from the KCC to the KCCA, the nature and implications of which are explored here.

a) The Introduction of the Kampala Capital City Authority

The opposition's control of Kampala instilled in the central government a longstanding desire to take over the KCC and bring the city back under the direct control of Movementists/the NRM. Both the President and supportive MPs publicly expressed a desire to do so as early as 2001.¹²¹ While campaigning before the 2001 parliamentary elections, Museveni publicly criticized the performance of the KCC under Ssebaana, citing its apparent failure to address the problems with the city's drainage, road and waste management systems. Claiming that the KCC's urban management and development failures meant that it was not adequately serving the interests of the city's residents, he threatened to use his powers under Article 202 of Uganda's 1995

¹²¹ Namutebi, Joyce, "Enter KCC Affairs, Govt Told," *New Vision*, 5 December 2001a; and Namutebi, Joyce, "Museveni Wants KCC Dissolved," *New Vision*, 20 June 2001b.

Constitution,¹²² which gives the President, with the approval of two-thirds of MPs, the power to “assume the executive and legislative powers of any district” under the following conditions: “(a) where the district council so requests it and it is in the public interest to do so; (b) where a state of emergency has been declared in that district or in Uganda generally; or (c) where it has become extremely difficult or impossible for the district government to function.”¹²³

For Museveni, implementing Article 202 had obvious benefits. Most obviously, it provided a legal means of regaining control of Kampala from the opposition within the country’s existing constitutional framework. Of equal importance, it also allowed the President to justify the central government’s takeover of the city in reference to the KCC’s urban management and development failures, and vague references to public interest and proper government functioning suggest that considerable room for interpretation surrounding the use of this power existed. The utility of Article 202, however, also had a notable shortcoming: while it allowed the central government to assume control of a district, the Constitution stipulated that the use of this power was to be temporary; the President could theoretically extend his control indefinitely,¹²⁴ but the constitutionally stated final objective was to return power to the local government.¹²⁵ This was not conducive to permanent political dominance.

The central government therefore needed a new legal basis on which to justify its takeover of Kampala. This came with The Constitutional (Amendment) Act of 2005, the same document that legislated a return to multipartyism and repealed Presidential term limits, making the central government’s reassertion of power in Kampala an important part of the apparent trade-off that brought an end to the Movement system.¹²⁶ Under Uganda’s amended constitution, Kampala is listed as a distinct entity that is not classified with other regions and districts, thereby making it no longer subject to the provisions that apply to either,¹²⁷ and is to be “administered by the central government” subject to provisions adopted by Parliament.¹²⁸ In June 2009, Local Government

¹²² Namutebi (2001b).

¹²³ Quoted from “Constitution of the Republic of Uganda,” Chapter Eleven, Article 202, Section 1.

¹²⁴ *Ibid*, Chapter Eleven, Article 202, Section 3.

¹²⁵ *Ibid*, Chapter Eleven, Article 202, Section 4.

¹²⁶ “The Constitution (Amendment) Act,” 2005, Article 2 and Article 28; and “The Constitution (Amendment) (No.2) Act,” Article 2.

¹²⁷ “Constitution of the Republic of Uganda: Amended by the Constitution (Amendment) Act,” Act 11/2005, Chapter Two, Article 5, Section 2.

¹²⁸ *Ibid*, Chapter Two, Article 5, Sections 4 and 6.

Minister Adolf Mwesige presented to Parliament what would become, when eventually passed in November 2010, The Kampala Capital City Authority Act (KCCA Act).¹²⁹

The KCCA Act, in its final form, outlined the structure of the KCCA. Some of the key features of the KCC were maintained for the KCCA, most notably the existence of a directly elected mayor, now with the title of ‘Lord Mayor’, along with 34 elected councillors (now with four elected by and to represent engineers, architects, doctors and lawyers).¹³⁰ The position of Lord Mayor, however, was given reduced powers, assigned such functions as presiding over meetings, hosting dignitaries, monitoring administration, assisting in the administration of city divisions and performing “ceremonial functions and civic functions”, although, significantly, it was also given the power to “head the Authority in developing strategies and programmes” for development.¹³¹ The executive committee was eliminated entirely. Much of the true power in the KCCA was to instead rest in the newly created position of Executive Director, the “chief executive” of the KCCA appointed by the President.¹³² The Executive Director was to be the head of the public service and administration, and amongst its various functions (23 outlined in the KCCA Act, compared to only eight for the Lord Mayor), was to oversee the KCCA’s finances and assets, implement policy, enforce ordinances and byelaws, oversee service delivery and “mobilise the urban community for development and sustainability of infrastructure and services”.¹³³ The Executive Director was also supposed to “advise the mayor and Authority on Government policy” and “liaise with the central Government and other institutions on behalf of the Authority”, tying the position even further to the central government.¹³⁴ Both the Lord Mayor and Executive Director were to have deputies.¹³⁵ Even with the presence of the Executive Director, there was also still to be a Resident City Commissioner (RCC) with the responsibility, amongst others, to “represent the President and the government”.¹³⁶

The basic hierarchy of the local government system was maintained. Below the city level were to be the five lower divisions with elected councillors and an elected chairperson, now with

¹²⁹ Gyezaho, Emmanuel and Ismail Musa Ladu, “Government Finally Takes Over Kampala,” *Daily Monitor*, 4 November 2010; and Kato, Joshua, “Why Some Leaders Are Against Government Take-Over of Kampala City,” *New Vision*, 1 July 2009b.

¹³⁰ “The Kampala Capital City Act,” 2010, Part III, Article 6.

¹³¹ *Ibid*, Part III, Article 11, Section 1.

¹³² *Ibid*, Part III, Article 17, Sections 1 and 2.

¹³³ *Ibid*, Part III, Article 19.

¹³⁴ *Ibid*, Part III, Article 19, Subsections (e) and (o).

¹³⁵ *Ibid*, Part III, Article 9 and Part V, Article 23.

¹³⁶ *Ibid*, Part IX, Article 72, Section 1, Subsection (a).

the title of ‘mayor’. A city division mayor was to be the political head of a division, with a Town Clerk serving as the administrative head in a separation of powers similar to that which was to exist between the Lord Mayor and Executive Director at the city level.¹³⁷ City divisions were still in turn further subdivided into ward urban councils, which were themselves above, and made up of the executive members of, village urban councils consisting of all adults 18 and over, while elected street committees were added at the lowest end of the hierarchy.¹³⁸

Finally, there was to be a Minister for the KCCA in Parliament with the power to, amongst other things, “give directives on policy and general development”, “vary or rescind” decisions that are “in contravention of any law or Government policy” and “receive or take appropriate action” on reports submitted by the Lord Mayor, the Executive Director or a commission of inquiry.¹³⁹ The Lord Mayor was to be answerable to the Minister and to the KCCA as a whole in the performance of his or her functions.¹⁴⁰ As a Member of Cabinet appointed by the President, the KCCA Minister’s ties to the central government were, like those of the Executive Director, also obvious.

The introduction of the KCCA followed the broader pattern of decentralization and democratization under the NRM in which reforms were strategically designed and implemented to benefit the interests of the ruling party and halted or reversed if they did not. Introducing an elected local government with a relatively broad authority may have been useful to the NRM as a means of establishing its legitimacy after coming to power, but when the popular opposition began to dominate the city, concerns about legitimacy were superseded by the desire for political control. The NRM continually tried to undermine the KCC to strengthen its electoral support at the expense of the opposition, but also consistently pursued other means of reasserting centralized control that would allow for a more permanent state of political dominance. In search of a legal justification for a takeover of the city by the central government, the NRM first turned to Article 202 of the Constitution; when this ultimately proved undesirable, it made the status of local government in Kampala a major focus of its efforts to reform the Constitution. The country’s amended constitution, adopted in 2005, gave the central government the authority it needed to disband the KCC and redesign the city’s local government structure, which it ultimately did with the KCCA

¹³⁷ Ibid, Part VI, Articles 28-31.

¹³⁸ Ibid, Part VI.

¹³⁹ Ibid, Part XI, Article 79.

¹⁴⁰ Ibid, Part III, Article 11, Section 2.

Act. The introduction of the KCCA, therefore, was the culmination of a concerted effort to establish political hegemony in the city that dated not only from the drafting of the KCCA Act, but from the early implementation of decentralization and democratization reforms in Kampala.

The central government's takeover of Kampala was unsurprisingly met with resistance. Most notably, Sebaggala and Kampala Central MP Erias Lukwago criticized the move as a cynical and politically motivated attempt by the NRM to regain control of the city after long being unable to do so through electoral means.¹⁴¹ Sebaggala also warned that it would undermine the central government's decentralization efforts, and suggested—referring to problems explored in the following chapter—that what the KCC truly needed was not to be replaced, but to be adequately funded and free from political interference.¹⁴² In January 2008, the KCC pledged to give each of its councillors 5 million UGX to consult with their constituents and campaign against the takeover.¹⁴³ It was not just opposition politicians who were against the change. A poll conducted in 2008 found that of the 33% of Ugandans who were aware of the central government's plans, 38% approved and 59% disapproved. Divisions were also notable across party lines: 91% of DP supporters disapproved, compared to 69% of UPC supporters, 68% of Forum for Democratic Change (FDC) supporters (Besigye's party), 63% of independents and those supporting other parties and, interestingly, 44% of NRM supporters.¹⁴⁴ Such opposition ultimately had little impact, but served as a precursor for some of the political struggles that were to follow. The KCCA was introduced on March 1, 2011.¹⁴⁵

b) Technocracy over Politics

The NRM's efforts to expand its power in Kampala have continued after the introduction of the KCCA. While the KCCA has made the party (and, by extension, the central government) the dominant political force in the city, the fact that some positions in the city government are

¹⁴¹ Mwanje, Robert, "No Justification to Take Over Kampala City – Mayor," *Daily Monitor*, 11 December 2007b; and Kato (2009b).

¹⁴² Maseruka, Josephine, "Kampala Mayor Opposes City Take-Over," *New Vision*, 10 February 2010.

¹⁴³ Mwanje, Robert, "KCC Bosses Get Shs160m to Fight City Take-Over," *Daily Monitor*, 13 January 2008.

¹⁴⁴ Gyezaho, Emmanuel, "Ugandans Don't Want Govt to Run City," *Daily Monitor*, 15 November 2008.

¹⁴⁵ Interview subjects unanimously claimed that the KCCA was introduced in order to allow the central government to regain control of the city from the opposition. This was perhaps most notably expressed in: interview, KACITA representative, 11 July 2015; interview, Member of Parliament, Parliament of Uganda, 27 July 2015; group interview, Usafi Vendors Association, 18 July 2015; interview, Erias Lukwago, 10 August 2015; and interview, Uganda National NGO Forum spokesperson, 17 August 2015.

elected means that this dominance is not complete. This is something that the ruling party has sought to rectify.

Although Kampala has traditionally been a stronghold of the opposition (particularly the DP), the NRM actually won the most council seats in the 2011 local elections. The DP also failed to win the mayor's office in each of the city's five divisions.¹⁴⁶ This can probably be explained in a large part by dissatisfaction with the DP's performance in managing the city. Still, support for the opposition was strong, and most notably expressed with the election of Erias Lukwago, the former MP for Kampala Central and a major opposition figure with the support of both Besigye and the FDC, to the position of Lord Mayor with 64.41% of the vote, with his closest rival, NRM candidate Peter Ssematimba, receiving just 33.43%.¹⁴⁷ Jennifer Musisi, a lawyer with a background at the URA, was appointed to the position of Executive Director by Museveni in 2011. Although Musisi was a technocrat rather than a politician, the unofficial requirement of sympathy for and a willingness to co-operate with the NRM in order to secure an appointment by the President is obvious. Beatrice Wabudeya, the Minister for the Presidency, was also named Minister for the KCCA in 2011, and was replaced in both these positions by Kabakumba Masiko, another NRM MP, who served until December of that year, being replaced, again in both positions, by Wilson Muruli Mukasa, a third NRM MP. Frank Tumwebaze, an NRM MP for Kibale County in Kamwenge District in Western Uganda, was appointed as both Minister for the Presidency and Minister for the KCCA in August 2012. The overlap of the two ministerial positions is particularly revealing about the close ties between Museveni and the KCCA hierarchy.

From 2011-2016, the KCCA therefore had the following structure:

¹⁴⁶ Kasozi and Ssenkibirwa. For a full list of KCCA councillors and mayors once all positions had been filled, see Mpagi, Charles Mwanguhya, "What Next for Erias Lukwago, Lord Mayor Position in Kampala City?" *Daily Monitor*, 26 November 2013. More details are provided in Figure 6 below.

¹⁴⁷ Bareebe, Gerald, "How the City Mayoral Seat was Won," *Daily Monitor*, 16 March 2011; and Kagolo, Francis and Patrick Ogwang, "Lukwago is Lord Mayor," *New Vision*, 15 March 2011.

Figure 6: Key Figures in the Kampala Capital City Authority, 2011-2016¹⁴⁸

Position	Person	Political Party	Elected or Appointed
KCCA Minister	Beatrice Wabudeya (March-May 2011) Kabakumba Masiko (May-December 2011) Wilson Muruli Mukasa (December 2011-August 2012) Frank Tumwebaze (from August 2012)	NRM (all)	Elected as MP, appointed as Minister by the President
Executive Director	Jennifer Musisi	(Technocrat)	Appointed by the President
Deputy Executive Director	Judith Tukahirwa	(Technocrat)	Appointed by the President
Lord Mayor	Erias Lukwago	Independent (former DP)	Elected
Deputy Lord Mayor	Sulaiman Kidandala (December 2011-September 2014)	DP	Appointed by Lord Mayor from within the KCCA
KCCA Councillors	(34 in total)	19 NRM 7 DP 2 FDC 6 Independent	30 elected, 4 elected by professional bodies
Mayor of Central Division	Godfrey Nyakana	NRM	Elected
Central Division Town Clerk	Florence Kyoshabire	(Technocrat)	Appointed by the District Service Commission
Central Division Councillors	(37 in total)	30 NRM 4 DP 3 Independent	Elected

¹⁴⁸ Adapted from “The Kampala Capital City Act” and author’s research.

Mayor of Kawempe Division	Mubarak Munyagwa	Independent	Elected
Kawempe Division Town Clerk	Geoffrey Rwakabale	(Technocrat)	Appointed by the District Service Commission
Kawempe Division Councillors	(44 in total)	29 NRM 12 DP 3 Independent	Elected
Mayor of Lubaga Division	Joyce Ssebugwawo	FDC	Elected
Lubaga Division Town Clerk	Moses Sempa	(Technocrat)	Appointed by the District Service Commission
Lubaga Division Councillors	(44 in total)	17 NRM 22 DP 1 FDC 4 Independent	Elected
Mayor of Makindye Division	Ian Clarke	Independent	Elected
Makindye Division Town Clerk	Theophilus Tibihika	(Technocrat)	Appointed by the District Service Commission
Makindye Division Councillors	(45 in total)	30 NRM 13 DP 1 Social Democratic Party (SDP) 1 Independent	Elected
Mayor of Nakawa Division	Benjamin Kalumba Ssebuliba	NRM	Elected
Nakawa Division Town Clerk	Godfrey Bwebukya Kiseka	(Technocrat)	Appointed by the District Service Commission

Nakawa Division Councillors	(42 in total)	30 NRM 6 DP 1 FDC 5 Independent	Elected
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Conflicts between the political (elected) and technocratic (appointed) wings of the KCCA quickly emerged. These particularly took the form of the technocratic wing, led by Executive Director Musisi, attempting to expand its power at the expense of the political wing, led by Lord Mayor Lukwago. These conflicts have become so entrenched that they have been one of the defining features of the KCCA.

Lukwago has been an outspoken opposition figure throughout his career. He has also been a prominent champion of the city's urban poor. This has made him extremely popular. As an MP he criticized both the performance of the KCC and the introduction of the KCCA,¹⁴⁹ and later referred to his election as Lord Mayor as “a battle between me and the state” in which he “defeated President Museveni and the NRM rigging machinery”.¹⁵⁰ This victory, however, was short-lived. Lukwago quickly accused Musisi of overstepping her authority as Executive Director, claiming that she acted to construct and impose policies despite the fact that the KCCA Act, in his view, invested those powers within the body's political wing.¹⁵¹ This led to major disputes between the Lord Mayor and Executive Director about their respective powers within the KCCA, causing Lukwago to go to court to obtain rulings on, amongst other issues, who is the head of the KCCA, whether or not Lord Mayor is mainly a ceremonial role and who has power over developmental planning.¹⁵² The court threw out Lukwago's case, instructing the KCCA to resolve its issues on its own.¹⁵³ The power struggle between Lukwago and Musisi continued, culminating in Lukwago's impeachment on November 25, 2013 for abuse of office (inciting the public against paying taxes, unilaterally appointing and recalling KCCA representatives and failing to convene meetings), incompetence (failing to recognize the importance of standing committees and failing to renew their mandates, as well as failing to sign the minutes of meetings) and misconduct or misbehaviour

¹⁴⁹ Ssenkibirwa, Al-Mahdi, “Lukwago Blames Poor Sanitation Roads, on KCC,” *Daily Monitor*, 3 September 2008; and Kato (2009b).

¹⁵⁰ Quoted in Kiyonga, Derrick, “How Museveni Plotted Lukwago's Fall,” *The Observer*, 24 November 2013.

¹⁵¹ Interview, Erias Lukwago, 10 August 2015.

¹⁵² Mugisa, Anne, “KCCA's Musisi Beats Mayor Lukwago in Case Over Power,” *New Vision*, 10 July 2012.

¹⁵³ Ibid.

(publicly spreading inaccurate information about the KCCA and failing or refusing to implement Ministerial directives).¹⁵⁴ Twenty-eight KCCA councillors voted in favour of Lukwago's impeachment, including 16 from the NRM, four from the DP, two from the FDC and five independents, while four councillors opposed the motion (three from the DP, one of whom abstained, and one from the NRM) and two were absent.¹⁵⁵ Councillors who voted for Lukwago's impeachment reportedly received millions of shillings, along with 3,000 young chickens and 3,000 kilograms of chicken feed, from the President.¹⁵⁶

Lukwago's impeachment led to protests in Kampala that were forcefully suppressed by the police.¹⁵⁷ On November 28, 2013, a High Court judge overturned Lukwago's impeachment against the objections of the Attorney General, initiating lengthy court battles over Lukwago's status that continued throughout the remainder of his first term in office.¹⁵⁸ Throughout this entire process—indeed, from long before his impeachment—Lukwago has been arrested, detained or blocked by the police from holding rallies, meeting with supporters and leaving his house on several occasions.¹⁵⁹

The NRM sought to strengthen its power in the KCCA with Lukwago's absence. A group of NRM and other supportive councillors attempted to elect NRM councillor Baker Serwamba as the new Lord Mayor, with the position of Deputy Lord Mayor given to Bernard Luyiga, a DP councillor who voted to impeach Lukwago. With Lukwago's status still uncertain, however, their efforts were unsuccessful.¹⁶⁰ Perhaps more seriously, in November 2015, Attorney General and NRM MP Fred Ruhindi introduced the KCCA (Amendment) Bill to Parliament, which would, if adopted, have made the Lord Mayor appointed by the council rather than popularly elected, and

¹⁵⁴ Bamugemereire, Catherine, Joska Ocaya Lakidi and Alfred Oryem Okello, "The Report of the KCCA Tribunal (2013)," November 2013.

¹⁵⁵ Mpagi.

¹⁵⁶ Lubwama, Siraje, "KCCA Councillors Get Cash, Promised Chicks," *The Observer*, 29 August 2014.

¹⁵⁷ Masaba, Simon, "Teargas in Kampala After Lukwago Impeachment," *New Vision*, 25 November 2013.

¹⁵⁸ See, for example: Bwambale Taddeo and Andante Okanya, "Lukwago Kicked Out of Office Again, Petitions Court," *New Vision*, 31 March 2014; Kaaya, Sadab Kitatta, "Govt Agrees to Reinstate Lukwago," *The Observer*, 22 December 2014; Kiyonga, Derrick and Siraje Lubwama, "Judge Restores Lukwago, Blasts Attorney General," *The Observer*, 28 November 2013; "Lukwago Case Sent Back to Court of Appeal," *New Vision*, 21 August 2014; and Okanya, Andante, "Lukwago's Case Flops Over Judge's Absence," *New Vision*, 5 March 2015.

¹⁵⁹ See, for example: Anguyo, Innocent and Shamim Saad, "Lukwago, Besigye Arrested in Kampala," *New Vision*, 9 January 2014; Candia, Steven and Juliet Waiswa, "Police Deploy at Lukwago, Besigye Homes," *New Vision*, 29 November 2013; "Kampala Mayor Lukwago Arrested," *New Vision*, 18 November 2013; "Police Block Opposition Rally, Besigye, Lukwago Arrested," *New Vision*, 19 January 2012; Ssejjoba, Eddie, "Besigye, Lukwago Arrested," *New Vision*, 14 May 2015; Ssejjoba, Eddie, "Police Barricades Lukwago in His Home," *New Vision*, 20 May 2015; and Waiswa, Juliet, "Lukwago Rearrested Over Illegal Assembly," *New Vision*, 1 October 2012.

¹⁶⁰ Lubwama, Siraje, "KCCA Councillors Elect New Leaders," *The Observer*, 15 January 2014.

would also have made the KCCA Minister rather than the Lord Mayor the political head of the KCCA. The bill was withdrawn due to widespread popular criticism.¹⁶¹ Lukwago accused the technocratic wing of the KCCA of “disenfranchising people in Kampala” by “trying to get rid of adult suffrage” in an effort “to rob me of my political base”.¹⁶² This was not the first time the central government made such a move, since the early version of the KCCA Act did away with the position of directly elected Mayor altogether, stipulating instead that the Mayor would be appointed by elected councillors; the sentiment expressed at the time by Gordon Mwesigye, a former KCC Town Clerk, that “[t]he experiment of an executive Mayor universally elected has simply been a disaster and should be discouraged” clearly did not change within the ruling party with the introduction of the KCCA.¹⁶³ Musisi even publicly stated that, with Lukwago impeached, it was “fantastic” to be able to do her job without a Lord Mayor.¹⁶⁴

It is not only Lukwago who has complained about Musisi exceeding her powers and, along with the rest of the KCCA’s technical wing, infringing on the authority of elected officials. The city’s division mayors, including those belonging to the NRM, along with councillors within both the KCCA and city divisions have also voiced the common complaint that Musisi and the technocratic wing make and impose decisions unilaterally.¹⁶⁵ According to Lukwago, division mayors have been forced to “just sit and compile wish lists” because they lack control over their own finances, making them entirely dependent upon the KCCA’s technocrats.¹⁶⁶ The dominance of the KCCA’s technocratic wing over its political wing therefore occurs at all levels.

The NRM’s efforts to regain control of Kampala from the opposition thus did not end with the introduction of the KCCA. While the KCCA significantly increased the ruling party’s power in the city by introducing appointed technocrats to limit the powers of elected officials, it still, at least officially, left some room for the opposition to exert influence. Technocrats within the KCCA, along with their allies in the central government, have sought to minimize this influence further by marginalizing and subsequently impeaching a popular opposition Lord Mayor (and indeed trying

¹⁶¹ “Govt Bows to Pressure, Withdraws KCCA Amendment Bill,” *The Observer*, 16 November 2016; and “KCCA Act Amendment is Targeting Me – Lukwago,” *New Vision*, 11 November 2015.

¹⁶² Interview, Erias Lukwago, 10 August 2015.

¹⁶³ Mwesigye, Gordon, “Government to Realign Management of Kampala,” *New Vision*, 7 July 2009.

¹⁶⁴ Quoted in Mubiru, Apollo, “KCCA Without the Lord Mayor is Fantastic – Musisi,” *New Vision*, 10 February 2016.

¹⁶⁵ See, for example: Mukisa, Farahani, “KCCA Mayors, Councillors Boycott Musisi Meeting,” *Daily Monitor*, 22 June 2014; Nalugo, Mercy, “Division Mayors Petition Parliament Over Musisi,” *Daily Monitor*, 5 August 2011; and Waiswa, Juliet and Agnes Nantambi, “KCCA Should Change its Mode of Work,” *New Vision*, 4 September 2014.

¹⁶⁶ Interview, Erias Lukwago, 10 August 2015.

to fundamentally change the position by making it unelected), and more generally by excluding politicians from decision-making. The contrast between the realities of the KCCA and the NRM's earlier stated commitment to decentralization and democratization is stark. The KCC was relatively autonomous and democratic, but this allowed it to be dominated by the popular opposition. Faced with a choice between political control and its twin programs of decentralization and democratization in Kampala, the central government emphatically chose the former, recentralizing power and de-democratizing the city through the KCCA. The politics of the city have been dramatically transformed as a result.

c) Development and Urban Management

It is crucial to stress the primary role that arguments about development and effective urban management played in justifying the introduction of the KCCA. The idea that the KCC was failing to adequately manage and oversee the development of the city was commonly held, and was, of course, tied to the political struggles that dominated the city: first, since politicians often pursued political advantage over governance functions; and second, because the central government could undermine the effectiveness of the KCC, then use this ineffectiveness to point to the KCC's failure and its own obligation to replace a democratically elected government. A notable example of this logic was presented in a 2005 commission established by Local Government Minister Tarsis Kabwegyere to investigate land deals in the city, which found, in the words of the *Daily Monitor*, "widespread abuse of office by city officials, corruption and influence peddling, abuse of tender and procurement regulations and the presence of a "Kampala Mafia"", concluding that the KCC "lacked the political will as well as the technical capacity to enforce urban development."¹⁶⁷ In its own words, the commission also lamented that the KCC had been "captured by a political group that is consistently at loggerheads with the Central Government"—referring to the fact that the city was largely controlled by the (elected) opposition DP—and recommended that the KCC be taken over by the central government.¹⁶⁸

The logic of development and urban management also featured prominently in the KCCA Act. Mwesige described the bill he presented to Parliament as "development-oriented", obviously

¹⁶⁷ Izama, Angelo and Ignatius Ssuuma, "Govt to Take Over KCC as Sesa Swears In," *Daily Monitor*, 3 October 2007.

¹⁶⁸ Quoted in *ibid.*

implied to contrast with the performance of the KCC.¹⁶⁹ Not only were the Lord Mayor and Executive Director given powers concerning the development and, particularly for the latter, management of the city, but a key feature of the KCCA was to be a new Metropolitan Physical Planning Authority to direct development in the city. The body was to consist of five members appointed by the KCCA Minister, and was tasked with producing a physical development plan for the city, “handling and addressing planning issues”, organizing infrastructure and utilities, setting up green spaces and “beautification”.¹⁷⁰ It was also to be given the significant power to ensure that land use in the city adhered to “designated plans, irrespective of the tenure of land”.¹⁷¹ The Metropolitan Physical Planning Authority, however, was never established, but a Physical Planning Committee was set up in accordance with the country’s Physical Planning Act of 2010, and a detailed development plan was approved by the National Physical Planning Board in 2013.¹⁷² “The proposed Vision for the long term development of Kampala”, according to the plan, “is that of a Modern, Functional Balanced City and Metropolitan System.”¹⁷³

The KCCA wasted little time acting on its developmental and urban management ambitions. Many of the steps that it has taken have surrounded the performance of administrative duties, such as processing building plans, issuing permits and inspecting construction sites.¹⁷⁴ It has also focused on high visibility “cosmetic projects” such as garbage collection and planting trees in order to demonstrate, according to one civil society leader, “that Kampala City, under the management of the opposition, was poor, compared to Kampala City under the management of the President and the Executive Director”.¹⁷⁵ Many of the KCCA’s efforts, however, have been far more interventionist and coercive, perhaps most notably:

- The demolition of illegal structures around the city where owners lack proper permits and approval, including residences and commercial buildings;¹⁷⁶

¹⁶⁹ Quoted in Kato (2009b).

¹⁷⁰ “The Kampala Capital City Act,” Part IV, Section 1.

¹⁷¹ Ibid, Part IV, Section 3.

¹⁷² Email interview, KCCA spokesperson, 12 February 2016. Also see: “Kampala Physical Development Plan: Updating Kampala Structure Plan and Upgrading the Kampala GIS Unit,” Kampala Capital City Authority, Draft Final Report, September 2012; and “The Physical Planning Act,” Acts Supplement No. 5, 28 May 2010.

¹⁷³ Quoted from “Kampala Physical Development Plan”, 6.

¹⁷⁴ Email interview, KCCA spokesperson, 12 February 2016.

¹⁷⁵ Interview, Uganda National NGO Forum spokesperson, 17 August 2015.

¹⁷⁶ See, for example: Nakaayi, Florence and Mark Owor, “KCCA Demolishes More Structures,” *New Vision*, 28 September 2011; Namutebi, Joyce, J. Waiswa and A. Ssenyonga, “KCCA to Demolish More Illegal Structures,” *New*

- The eviction of tenants from places that serve important public functions, including Centenary Park,¹⁷⁷ the city's wetlands¹⁷⁸ and areas along the city's railway lines (with the railway line evictions alone affecting 40,000 people);¹⁷⁹
- The demolition of traders' structures at such places as Luzira Stage Seven Market¹⁸⁰ and the Old and New Taxi Parks;¹⁸¹
- Attempts to ban *boda-boda* stages from the city centre¹⁸² and take over the management of the *matatu* industry;¹⁸³
- Attempts to assume the management of and redevelop the city's markets (as explored in Chapter Five); and
- The banning of begging on the city's streets¹⁸⁴ and removals of street children.¹⁸⁵

The logic of urban management and development has underpinned all of these actions by the KCCA. The ban on street vending must be understood in the same way.

ii. *The Repression of Street Vending*

The repression of street vending in Kampala follows directly from the introduction of the KCCA. The KCCA's developmental ambitions caused it to commit to eradicating informal vending from the city's streets, while its recentralized and de-democratized structure eliminated the conditions that street vendors had formerly relied on to exercise agency. Lacking the political protection that they were able to access under the KCC, street vendors in Kampala have faced a city government that is far more committed to the eradication of their activities.

Vision, 14 September 2012; Ssenyonga, Andrew, "KCCA to Demolish Newly Erected Illegal Structures," *New Vision*, 29 February 2016; and Wesaka, Anthony, "Namungoona Residents Sue KCCA Over Eviction," *Daily Monitor*, 5 December 2012.

¹⁷⁷ Rugyendo, Arinaitwe, "Musisi Receives Death Threats Over Centenary Park Eviction," *Red Pepper*, 1 October 2012.

¹⁷⁸ Lule, Jeff Andrew, Juliet Waiswa and Andrew Ssenyonga, "KCCA to Evict Encroachers from Waterways," *New Vision*, 11 June 2015.

¹⁷⁹ Kasozi, Ephraim and Jalira Namyalo, "Railway Evictions Case Adjourned," *Daily Monitor*, 14 October 2014.

¹⁸⁰ Waiswa, Juliet, "KCCA Demolishes Illegal Luzira Market," *New Vision*, 7 February 2014.

¹⁸¹ Mukisa, Farahani and Al-Mahdi Ssenkibirwa, "KCCA Raises Taxi Park Kiosks, Traders Cry Foul," *Daily Monitor*, 26 January 2015; and Mwanje, Robert and Joseph Kiggundu, "KCCA Evicts Vendors from Taxi Parks," *Daily Monitor*, 11 May 2012.

¹⁸² Mukisa, Farahani, "KCCA Stops Boda Boda from City Centre," *Daily Monitor*, 29 June 2015.

¹⁸³ Mukisa, Farahani, "UTODA Out, KCCA Takes Over City Taxis," *Daily Monitor*, 10 January 2015.

¹⁸⁴ Katusiime, Mackline and Zainabu Naigaga, "KCCA to Outlaw Street Begging: Public Reacts," *New Vision*, 19 July 2013.

¹⁸⁵ Waiswa, Juliet, "KCCA Rounds Up 70 Children Off the Streets," *New Vision*, 9 August 2012.

The Third Schedule of the KCCA Act gives the KCCA the power to “[p]rohibit, restrict, regulate or licence” street vending.¹⁸⁶ The act also gives the Executive Director the power to “promote trade order” in the city,¹⁸⁷ and the concept of ‘trade order’ is commonly referenced in the context of outlawing street vending.¹⁸⁸ Ultimately, however, the KCCA justified its ban by invoking the 2006 ordinance passed by the KCC.¹⁸⁹ This had two notable advantages: first, it meant that the KCCA did not need to pass its own legislation; and second, it served to contrast the effectiveness of the KCCA with the inability or unwillingness of the KCC to enforce its own adopted policies. Musisi announced a ban on street vendors in the city’s Central Business District on July 10, 2011,¹⁹⁰ and just weeks later at the end of August the KCCA announced that vendors had to vacate the city by September 4 or face evictions.¹⁹¹ Masiko, the Minister for the President and the KCCA, made a similar announcement on September 2.¹⁹² The decision was apparently made by the central government.¹⁹³

It is possible to identify four distinct arguments that are commonly employed to justify the KCCA’s ban on street vending:¹⁹⁴

1. *Promoting cleanliness and order*: street vendors are seen as a source of urban disorder and chaos who both are themselves unclean and make the city unclean with their presence. Such a view holds them to be not only detrimental to the city’s aesthetics, but also to the city’s proper and efficient functioning. A KCCA spokesperson claimed that the new city government “found the city in a mess” in 2011, with the streets “littered with vendors causing unnecessary traffic congestion” and impeding pedestrians on city

¹⁸⁶ “The Kampala Capital City Act”, Third Schedule, Part A, Article 3, Subsection (a).

¹⁸⁷ “The Kampala Capital City Act”, Part III, Article 19, Subsection (q).

¹⁸⁸ For example: email interview, KCCA spokesperson, 11 November 2015; Bwambale, Taddeo and Juliet Waiswa, “City Vendors Told to Vacate,” *New Vision*, 1 September 2011; and Ochakolong, Miriam, “Kampala Capital City Authority Bans Street Vending,” *New Vision*, 12 July 2011.

¹⁸⁹ Email interview, KCCA spokesperson, 11 November 2015.

¹⁹⁰ Mwanje, Robert and Al-Mahdi Ssenkibirwa, “KCCA Bows to Traders’ Pressure, Evicts Vendors,” *Daily Monitor*, 2 September 2011; and Ochakolong.

¹⁹¹ Bwambale and Waiswa.

¹⁹² Bwambale, Taddeo, “Govt Orders Vendors Off Streets,” *New Vision*, 2 September 2011.

¹⁹³ Ssemugo, Herbert, Juliet Waiswa and Eddie Ssejoba, “Eviction of Vendors was Govt Policy, Musisi,” *New Vision*, 7 September 2011.

¹⁹⁴ Each of these pervades the discourse surrounding street vending in Kampala, and one or more can often be identified in newspaper articles or statements made on the subject by those involved. This list is produced based on the fieldwork undertaken for this thesis, most notably: interview, KACITA representative, 11 July 2015; email interview, KCCA spokesperson, 11 November 2015; and email interview, KCCA official, 17 February 2016.

sidewalks.¹⁹⁵ Removing street vendors, according to this logic, was therefore essential to the effective management of otherwise open, unoccupied public spaces.

2. *Promoting security*: street vending is also seen as a potential threat to public security. This often comes from the fear that street vendors may be criminals. Petty theft is the most common concern in this regard, but one KCCA official claimed that criminals would disguise themselves as street vendors in order to commit house robberies, doing “their surveillance during the day” before returning “preferably in the night to execute their mission”.¹⁹⁶ The idea that criminals can pose as street vendors due to the low entry costs that characterize street vending has echoes in the similar (if more outlandish) fear that terrorists may do the same. Immediately before issuing the September 4, 2011 eviction deadline, Musisi said to journalists that “[i]n this era of terrorism and bomb threats”, the government must be able to “control and regulate the number of illegal street vendors”, suggestively adding that “no one knows the kind of merchandise they trade in.”¹⁹⁷
3. *Ending unfair competition*: by operating on the streets, vendors are free from the taxes, regulatory costs and business expenses (particularly rent) that are more easily or inescapably incurred by their counterparts in shops. They also have easy access to potential customers due to the visibility and accessibility that comes with occupying public spaces. This gives them a major competitive advantage over (more) formal businesses that may be forced to charge higher prices for similar goods and may struggle to attract customers due to less favourable locations (something that is particularly relevant for businesses outside of the city centre, off of major streets or inside the city’s indoor shopping arcades). Eradicating street vending would therefore benefit these businesses that ‘play by the rules’ by ensuring that they are no longer undercut by unfair competition.
4. *Improving revenue collection*: forcing vendors off of the city’s streets and into markets could give them a more permanent position and ensure that they could be more effectively regulated and taxed.

¹⁹⁵ Email interview, KCCA spokesperson, 11 November 2015.

¹⁹⁶ Email interview, KCCA official, 17 February 2016.

¹⁹⁷ Quoted in Bwambale and Waiswa.

Each of these is a standard justification for outlawing street vending used by governments around the world. Interestingly, the only argument used in Kampala that is not identified in Bromley's comprehensive international overview from 2000 is the one relating to terrorism,¹⁹⁸ pointing to a more common usage of security discourses and the impact this has had on the logic and rhetoric of development. References to terrorism were likely to have had particular resonance in Kampala when the KCCA banned street vending in 2011 given the suicide bombings that took place in the city on July 11, 2010, in which 74 people were killed and a further 70 were injured. These attacks, of course, had nothing to do with street vending, with the Somali group al-Shabaab claiming responsibility.¹⁹⁹ Concerns about terrorism have permeated the politics of street vending nonetheless.

The other reasons that are commonly presented reflect the idea that street vendors have no place in the modern urban economy and physical landscape that the KCCA has pledged to create. With their associations with urban disorder, a lack of cleanliness, criminality, terrorism, poor business performance and low revenue intake, street vendors are seen to embody the problems that prevent Kampala from becoming a modern, developed, well managed city. In the context of the city's politics, they were, in 2011, a visible manifestation of the KCC's failure to promote development and undertake effective urban management; their removal, by contrast, would be a notable indication of the KCCA's superior ability to run the city, the primary justification given for the central government's takeover. The class dimensions of this logic are obvious: street vendors, as visible members of the urban poor, prevent the city from properly functioning for other residents by being visually unappealing, blocking traffic and pedestrians, posing a potential physical or monetary threat, undercutting businesses and undermining local government finances. Their livelihood needs are considered secondary to such concerns.²⁰⁰

These class dimensions are particularly evident from the major role that KACITA played in promoting the ban on street vending in Kampala, which was so significant that a spokesperson referred to the ban as the organization's "brainchild".²⁰¹ KACITA, as the primary organization representing the city's traders, has long been a prominent opponent of street vending, regarding

¹⁹⁸ Bromley (2000).

¹⁹⁹ "'Somali Link' as 74 World Cup Fans Die in Uganda Blasts," *BBC News*, 12 July 2010.

²⁰⁰ See Chapter Two, Notes 43-47 for parallels elsewhere.

²⁰¹ Interview, KACITA representative, 11 July 2015.

the practice as a source of unfair competition and an impediment to shop owners' access to potential customers.²⁰² On at least one occasion in 2007, KACITA even helped the KCC organize an eviction of street vendors and provided security personnel to assist KCC enforcement officers.²⁰³ According to a KACITA spokesperson, the organization lobbied the KCC to remove vendors from the city's streets, but was unsuccessful because elected officials relied on street vendors for support. MPs and presidential candidates were apparently reluctant to act for the same reason. KACITA then lobbied Museveni, telling him to do a cost-benefit analysis of street vending that factored in revenue from taxes and licensing fees paid by formal businesses as well as potential security costs. The President was apparently persuaded by this logic, along with the fact that, with the 2011 elections over, he no longer needed street vendors' electoral support.²⁰⁴ Threats by KACITA to go on strike in September 2011 further pressured the KCCA to act to ban street vending when it did,²⁰⁵ just as a strike by traders to pressure the KCC into taking action in April 2002 was shortly followed by Operation Safe City.²⁰⁶

KACITA's efforts are in line with Cross' observation that businesses turn to the coercive powers of the state when they are unable to eliminate street vending through market competition.²⁰⁷ While it would be inaccurate to portray all members of KACITA as part of a class of relatively wealthy business owners, they are nevertheless above the class of urban poor that most accurately categorizes street vendors. What makes street vending so attractive and gives it its competitive advantage is precisely its low entry costs and minimal capital intensity, making it accessible to the urban poor in a way that owning a larger business in a shop, with all of the costs that this would entail, is not. Larger traders wish to eliminate this competitive advantage, but in doing so close off one of the only avenues that the urban poor have for participating in the city's economy and securing a basic livelihood. Since the introduction of the KCCA, these traders, through the KCCA, have been able to get the state to intervene decisively on their behalf.

Political divisions, of course, also shaped the KCCA's ban on street vending. These cut across the obvious fault lines of power in the city under the KCCA: between the opposition and

²⁰² Ibid. This respondent also highlighted the supposed threats of crime and terrorism.

²⁰³ Mwanje (2007a).

²⁰⁴ Interview, KACITA representative, 11 July 2015.

²⁰⁵ Mayanja, Brian, "Kampala Traders Call off Protests," *New Vision*, 4 September 2011; and Mwanje and Ssenkabirwa.

²⁰⁶ "Kampala Businessmen Protest Against Vendors," *PanaPress*, 22 April 2002.

²⁰⁷ Cross (2000).

the ruling party, and between politicians and technocrats. Lukwago has been a particularly vocal critic of the evictions, accusing the KCCA of treating street vendors with an “iron fist”²⁰⁸ and arguing before the ban took effect that more time should be allowed for proper consultations to take place.²⁰⁹ A number of opposition MPs—although not all—opposed the eviction in Parliament on similar grounds, but a motion to suspend it failed due to a lack of quorum.²¹⁰ Lukwago also claimed that the decision to ban street vending was not properly discussed within the KCCA, leading to accusations that his powers were not adequately respected.²¹¹ This fuelled his conflict with Musisi and the KCCA’s technocratic wing, forming a key part of disputes surrounding the proper division of powers and issues of development and urban management. These disputes have allowed Lukwago’s opponents, including both Musisi and Museveni, to characterize him as an obstacle to development who stands in the way of the KCCA’s plans and wastes valuable time and resources, ultimately justifying his removal.²¹²

Street vendors were largely seen to support Lukwago in his 2011 election victory, leading to speculation in the *Daily Monitor* as to whether or not this would be “his poisoned chalice when he moved to redeem the city” (that is, whether or not their support would prevent him from undertaking supposedly necessary evictions).²¹³ In contrast to the KCC, however, the KCCA has been structured and operates in a way that renders the support of elected officials an ineffective way of exerting political influence. With the existence of the powerful technocratic wing that has taken over policy formation and implementation, along with continuous efforts to disempower the Lord Mayor, the KCCA imposes significant *de jure* and *de facto* restrictions on politicians that prevent them from coming to the aid of street vendors even when they desire to do so. Electoral competition has been minimized and its outcomes have been made less relevant, making the arrangement that existed under the KCC in which vendors could exchange electoral support for political protection practically impossible under the KCCA. Unelected technocrats are immune to

²⁰⁸ Interview, Erias Lukwago, 10 August 2015.

²⁰⁹ Mwanje, Robert, “Councillors, Lukwago Disagree on Vendors,” *Daily Monitor*, 3 September 2011; and Waiswa, Juliet and Brenda Asiimwe, “Lukwago Requests KCCA Chief Not to Evict Street Vendors,” *New Vision*, 5 September 2011.

²¹⁰ Walubiri, Moses and Joyce Namutebi, “MPs Divided on Eviction of Vendors,” *New Vision*, 6 September 2011.

²¹¹ Bwambale, Taddeo and Brian Mayanja, “Kampala Lord Mayor Threatens to Resign,” *New Vision*, 15 September 2011.

²¹² See, for example: Etukuri, Charles and Juliet Waiswa, “Kampala is Better Now Without Lukwago,” *New Vision*, 27 June 2015; Lumu, David, “President Museveni Warns Erias Lukwago,” *New Vision*, 31 August 2014; and Kiyonga (2013).

²¹³ “The Huge Task Facing New Team Running Kampala,” *Daily Monitor*, 17 March 2011.

such reasoning altogether, and because they derive their legitimacy from their ability to direct development and urban management, they have few reasons to sympathize with street vendors and strong reasons to pursue the eradication of street vending. As one (former) street vendor leader described, when vendors wanted anything under the KCC “they would run to the Mayor, they would run to MPs, they would run to councillors, but now with KCCA, they don’t run to them because they don’t have the power.”²¹⁴ The problem with the KCCA, another stated, is that “we have no right to vote for the Executive Director”, and therefore no longer have the ability to influence local government policy.²¹⁵ A third agreed, lamenting that the KCCA gets its orders from the President, and therefore has “no need to listen to us”,²¹⁶ while another vendor similarly complained that decisions now come “from the State House” rather than elected local officials.²¹⁷ The introduction of the KCCA has reversed decentralization and democratization in Kampala, and limited the agency of street vendors as a result.

iii. The Effects of Repression

The effects of this have been both serious and significant. Virtually every street vendor interviewed for this thesis spoke negatively about his or her treatment by the KCCA, often with little or no provocation. This was often named alongside or even above other primary concerns about the poverty in which street vendors usually live, which is understandable given that it not only involves vendors being harassed and brutalized, but also being prevented from undertaking an activity that at least somewhat secures their livelihoods. Street vending is a crucial income generating strategy for the urban poor in Kampala, and the KCCA is committed to eradicating it.

Street vendors who have continued to operate in Kampala despite the city’s ban face arrest by the KCCA. The scale of these arrests has been considerable. In just one three month period from January to April 2013, 633 people were arrested and charged for street vending by the KCCA.²¹⁸ In 2015, Lukwago estimated that over 2,000 people were in jail for street vending.²¹⁹ The courts that vendors are tried in are run by the KCCA, causing some vendors to question their

²¹⁴ Group interview, Usafi Vendors Association, 18 July 2015.

²¹⁵ Ibid.

²¹⁶ Ibid.

²¹⁷ Group interview, Kampala Hawkers Association, 8 July 2015.

²¹⁸ Mukisa, Farahani, “1,000 People Charged with Breaking City Laws,” *Daily Monitor*, 9 May 2016.

²¹⁹ Interview, Erias Lukwago, 10 August 2015.

accountability and impartiality.²²⁰ One street vendor recalled being arrested, fined 500,000 UGX and sent to prison for six months, where “they treat you like any other prisoner, like a thief or a murderer or that kind of thing”.²²¹ When he was released, he returned to street vending because he “had no option”; no other means of livelihood support were realistically available.²²² The fines that accompany arrests can also be extremely burdensome: one street vendor reported being charged 400,000 UGX, far in excess of her average daily profits of about 15,000 UGX;²²³ another, however, reported a more favourable ratio of 70,000 UGX to a daily profit 30,000 UGX.²²⁴ In 2013, the KCCA also began arresting the customers of street vendors for supporting an outlawed activity and undermining eradication efforts.²²⁵ Even when street vendors are not arrested, they may still have their goods confiscated, a punishment that can be quite severe since the costs of acquiring new goods to sell can be high, particularly in relation to profits and savings. One group of vendors claimed that they had their goods confiscated so often in the past year that they could not even guess the total number of times this had happened.²²⁶ Their goods, they claimed, were auctioned off by the KCCA; on previous occasions, confiscated goods had simply been destroyed.²²⁷ A spokesperson for the KCCA claimed on at least one occasion that vendors were instructed to collect their confiscated goods but failed to do so.²²⁸

The treatment of street vendors by the KCCA gained widespread attention in November 2014 when a two year-old child was struck and killed by a KCCA vehicle while being taken to visit his mother, who was in prison for illegally selling fruit on the street.²²⁹ Outrage over the incident—particularly, as expressed in interviews for this thesis, from other street vendors—did not result in any changes to the way street vendors are treated, even though a number of KCCA officers were suspended a week later for improper conduct in the performance of their duties.²³⁰ Other criticisms of the treatment of street vendors, including those voiced in Parliament, have also

²²⁰ Group interview, Usafi Vendors Association, 18 July 2015.

²²¹ Interview I, street vendor, 17 August 2015.

²²² Ibid.

²²³ Interview II, street vendor, 17 August 2015.

²²⁴ Interview III, street vendor, 17 August 2015.

²²⁵ Mukisa (2013).

²²⁶ Group interview, street vendors, 3 March 2015.

²²⁷ Ibid.

²²⁸ Waiswa, Juliet, “KCCA Auctions Impounded Vendors’ Goods,” *New Vision*, 27 June 2014.

²²⁹ “‘Baby Ryan’ Buried in Kampala After Uganda Uproar,” *BBC News*, 21 November 2014.

²³⁰ Mukisa, Farahani, “KCCA Suspends 60 Law Enforcement Officers Over Torture,” *Daily Monitor*, 28 November 2014.

had little effect.²³¹ For those who see street vendors as undesirable features of a modern urban landscape and economy, such concerns apparently fail to resonate.

Street vendor organizations have also been greatly affected by the KCCA's ban. Many of the larger ones, as described below, decided to co-operate with the KCCA. Others had their leaders harassed and/or arrested,²³² and many disbanded because their leaders feared similar treatment.²³³ Within the city's closed political environment, the ability of such groups to exert political influence had also greatly diminished, damaging their utility.

The repression of street vendors has been particularly harsh given the role of the state in producing and sustaining informality, as explored in Chapter Three. This fact has not been lost on many who have criticized the KCCA for its treatment of vendors. Lukwago castigated the government for adopting "draconian" policies as a substitute for its failure to aid the country's manufacturing and agricultural industries as well as the unemployed, and says that street vendors "have nowhere to go" because the government "has not developed alternatives".²³⁴ "The reason they do their business is a breakdown of economic policy", Lukwago claims, so the primary issue "is not really about street vending", but rather the fact that the government "has no real policy to help the urban poor".²³⁵ One street vendor complained that the government would rather put vendors in jail and confiscate their goods than give them jobs or aid their businesses, adding: "This is what it's like in Uganda. It's like we are not Ugandans."²³⁶

iv. Responding to Repression

The recentralization and de-democratization of political power in Kampala that occurred with the introduction of the KCCA severely restricted the agency of street vendors. The competition between local politicians with control over policy formation and implementation that existed under the KCC was significantly reduced by both the structure and operation of the KCCA, leaving vendors without the avenue of influence that they took advantage of under the KCC. Unable to exert political influence, street vendors have been forced to respond to repression in other ways. These can generally be classified into three categories: efforts to comply with the ban

²³¹ Walubiri, Moses, "MPs Decry Brutality of KCCA Law Enforcement Officers," *New Vision*, 18 March 2014.

²³² Interview, leader of Platform for Vendors Uganda, 23 February 2015.

²³³ Group interview, street vendors, 3 July 2015.

²³⁴ Interview, Erias Lukwago, 10 August 2015.

²³⁵ Ibid.

²³⁶ Group interview, street vendors, 3 March 2015.

on street vending and/or co-operate with the KCCA; efforts to remain on the streets despite the ban; and attempts at further organization to exert renewed political influence. Such actions have met with limited success and are often motivated by desperation or necessity, and have frequently been confronted by further state power. Still, they suggest that while street vendors' agency has greatly diminished, it has not disappeared entirely, even as they struggle to participate in urban development and economic life in the city.

a) Compliance and Co-Operation

Street vendors who have complied with the KCCA's ban have left the streets of Kampala. Many have left the city and returned to the countryside,²³⁷ meaning that the state, for at least one segment of the urban poor, has been able to use its coercive power to stem or even reverse the predominant trend of urban migration. One street vendor interviewed for this thesis even expressed a desire to relocate to South Sudan to escape state repression.²³⁸

The KCCA's position is that vendors need not return to the countryside, or even give up vending. Its solution is instead for street vendors to relocate to the city's markets.²³⁹ When announcing the ban in 2011, it claimed that it had identified over 8,000 spaces in 69 markets around Kampala that the city's 8,500 street vendors could move into.²⁴⁰ Street vendors could still sell their goods in the city, but would just have to do so in designated areas. This plan, however, has notable flaws. Most obviously, the fact that market vendors, unlike street vendors, have to pay fees for the use of market space means that moving to markets would entail new and continuous costs for street vendors. In Owino Market, for example, access to the least expensive market space costs 8,000 UGX per month;²⁴¹ since street vending is a low capital intensity activity and profits are often small, such fees, while modest, are burdensome and can even make market vending difficult to afford. These costs also mean that important divisions exist between market and street vendors, since, like other traders, some market vendors view street vendors as a source of unfair competition. Vendors at Owino Market, for example, also protested before Operation Safe City in

²³⁷ This claim was repeated by several respondents who were interviewed for this thesis.

²³⁸ Group interview, street vendors, 24 February 2015.

²³⁹ Email interview, KCCA spokesperson, 11 November 2015.

²⁴⁰ Bwambale and Waiswa.

²⁴¹ Group interview, St. Balikuddembe Market Stalls, Space and Lock-Up Shops Owners Association Limited, 4 August 2015.

April 2002,²⁴² and even joined police to chase away vendors from a nearby street on at least one occasion.²⁴³ As detailed in Chapter Five, markets in Kampala have their own internal hierarchies as well, along with significant problems surrounding ownership and development. Their lack of appeal to street vendors is therefore understandable.

Similar problems have characterized the primary attempt by street vendors to co-operate with the KCCA. After the passage of the KCCA Act, leaders of some of the largest street vendors' associations in the city joined together to found Twengate Vendors Association in 2010. Knowing that street vending would be outlawed under the new city government, the new association requested that a new market be created in Kampala to accommodate the vendors who would be evicted from the city's streets. The request was granted by Parliament, and the KCCA entered into an agreement with a company called Safinet Uganda Ltd., owned by Omar Nasoro Ssekamatte, to establish a market for street vendors on a plot of land in Katwe, close to a busy traffic junction near the Pan African Freedom Square that links the southern part of the city with Kampala's Central Business District. The market was to be named 'Usafi', so Twengate Vendors Association changed its name to Usafi Vendors Association (UVA).²⁴⁴

Usafi Market opened on February 4, 2013.²⁴⁵ In contrast to most markets in the city, Usafi has a well planned and organized layout. The arrangement of vending stalls and spaces follows a general pattern, and vendors are separated into five zones based on the goods that they sell. Each zone is identified by a colour, and vendors are expected to wear this colour so they can be easily identified. They are expected to wear an identity card around their necks as well. The market itself is covered by a roof to protect both vendors and customers from the elements, and has an artificial floor, plumbing and lighting. It also has defined entrances and exits with security guards.²⁴⁶ In short, Usafi embodies the ideal of 'trade order' that the KCCA is apparently committed to imposing on the city. If street vending is chaotic, then Usafi Market both clears the city's streets and makes vendors easier to manage and regulate. This sense of 'order' is extended to the vendors themselves. Not only are they forced to adhere to certain aesthetic and business standards, but their behaviour

²⁴² Mitullah, 17.

²⁴³ Otage, Stephen, "Police, Traders Chase Away Hawkers from New City Road," *Daily Monitor*, 14 December 2010.

²⁴⁴ The history of Usafi Market was primarily related in: group interview, Usafi Vendors Association, 18 July 2015; and interview, Usafi Vendors Association Member, 10 July 2015.

²⁴⁵ Kiyaga, Abdu, "Mixed Reactions as Usafi Market Opens," *Daily Monitor*, 5 February 2013a.

²⁴⁶ This description is based on fieldwork at Usafi Market, as well as Kiyaga, Abdu, "Usafi: An Organised Market with Rather Few Customers," *Daily Monitor*, 16 July 2013b.

can also be more closely monitored and policed; according to one spokesperson for the market, for example, having vendors wear different colours would make them easier to identify in the event of “indiscipline”.²⁴⁷ In the words of an article in the *Daily Monitor*: “the message is clear, cleanliness and organisation first and the rest will follow.”²⁴⁸

‘The rest’, however, has failed to follow. Vendors at Usafi Market may be free from the harassment that they would have faced on the streets and able to trade their goods in a well organized market, but they are having difficulty accessing the customers that they need to sustain their businesses. The lack of customers was mentioned repeatedly in interviews with those who work at Usafi, and becomes self-evident when visiting the market. To attract more customers, the UVA requested that the KCCA create a new taxi park near the market to increase its access to people moving in and out of the centre of the city.²⁴⁹ The request was granted, and Usafi Taxi Park was established on part of the property owned and managed by Safinet. In early 2014, the KCCA, in an attempt to reduce congestion in the city centre, declared that taxis using several routes between the city centre and the south and west of the city had to use Usafi Taxi Park, a move that led to dissatisfaction amongst taxi drivers and passengers over longer commute times.²⁵⁰ Usafi Taxi Park has not been able to improve business at Usafi Market. For vendors, customers are still in short supply.

Problems caused by a lack of customers were initially compounded by the excessive cost of rent at Usafi Market. Safinet originally charged 120,000 UGX per month for rent, a high amount in relation to both vendors’ income and comparable rates at other markets.²⁵¹ The UVA tried to get the rent lowered, arguing that vendors could only afford to pay 10,000 UGX per month.²⁵² Ssekamatte, however, ignored their pleas; in the words of one respondent: “He said it was a business. He wanted to make profits.”²⁵³ According to another, his attitude was “if you can afford it, you stay. If you can’t afford it, you move out.”²⁵⁴ Vendors were also unhappy about being charged a further 50,000 UGX if they brought in someone from outside of the market to help them

²⁴⁷ Quoted in Kiyaga, 2013b.

²⁴⁸ Quoted from *ibid*.

²⁴⁹ Interview, Usafi Vendors Association Member, 10 July 2015.

²⁵⁰ Semweya-Musoke, Oskar, “Winners and Losers in New Usafi Taxi Park,” *The Observer*, 18 May 2014.

²⁵¹ Interview, SACCO director, Usafi Market, 10 July 2015.

²⁵² Interview, Usafi Vendors Association Member, 10 July 2015.

²⁵³ Group interview, Usafi Vendors Association, 18 July 2015.

²⁵⁴ Interview, SACCO director, Usafi Market, 10 July 2015.

with their businesses.²⁵⁵ These costs have forced vendors to raise their prices, making them less competitive. Without the ability to offer low prices or easily access potential customers, vendors lose the very advantages that make street vending a viable livelihood strategy. Usafi Market may provide shelter from the repression that vendors face on the streets of Kampala, but for many, it also makes vending economically unsustainable.

The high cost of rent led to conflicts between vendors and Safinet. The KCCA eventually intervened, first by reducing rent to 80,000 UGX per month in June 2013,²⁵⁶ then by taking over the management of the market in January 2014²⁵⁷ and finally by purchasing the market and taxi park from Safinet in April 2015.²⁵⁸ This purchase was plagued by controversy. Ssekamatte acquired the lease for the land, which totals 6.18 acres and is made up of 22 different land titles, from the city in early 2011 before the introduction of the KCCA, paying 110 million UGX.²⁵⁹ He sold the land back to the KCCA for 39 billion UGX.²⁶⁰ In August 2014, while the KCCA was in the process of purchasing Usafi, an internal report on corruption in the local government authority raised questions about how the deal was being handled.²⁶¹ Tumwebaze, the KCCA Minister, told members of the Parliamentary Presidential Affairs Committee that accusations of corruption in the purchase of Usafi Market were “politically engineered schemes to tarnish the image of a hard working team at the KCCA”.²⁶² Lukwago also claimed that the land was publicly owned and fraudulently sold by the KCC in the first place,²⁶³ but Yusuf Nsibambi, the head of the Kampala District Land Board (KDLB), argued that the lease was properly obtained since the 1998 Land Act gives district land boards the power to lease public land, and that the legal rate is 10% of the unimproved value of the land.²⁶⁴ Still, the difference between the 2011 leasing price and the 2015 purchase price is significant. The KCCA failed to adhere to its payment schedule—perhaps understandably given that 39 billion UGX represents almost half of its annual revenues²⁶⁵—

²⁵⁵ Kiyaga, 2013a.

²⁵⁶ Kiwuuwa, Pau and Julie Waiswa, “KCCA Reduces Fees for Usafi Market Stalls,” *New Vision*, 11 June 2013.

²⁵⁷ Bwambale, Taddeo, “KCCA Takes Over Usafi Market,” *New Vision*, 4 January 2014.

²⁵⁸ Waiswa, Juliet, “Government Pays Off Usafi Market,” *New Vision*, 8 April 2015.

²⁵⁹ Ibid.

²⁶⁰ Ibid.

²⁶¹ Arinaitwe, Solomon, “KCCA Stinking with Corruption – Report,” *Daily Monitor*, 2 August 2014.

²⁶² Quoted in Mugerwa, Yasiin, “KCCA Officials Face House Over Corruption Claims,” *Daily Monitor*, 6 August 2014.

²⁶³ Arinaitwe.

²⁶⁴ Kiwawulo, Chris, Juliet Waiswa and Brian Mayanja, “KCCA to Buy Usafi Market at Sh37bn,” *New Vision*, 20 July 2014.

²⁶⁵ See Figure 7 in Chapter Five.

causing Ssekamatte to initiate a lawsuit that was settled out of court, while the payment has been complicated further as other claimants to the land on which Usafi sits have since emerged.²⁶⁶ Meanwhile, revenue collected from both the market and the taxi park has fallen considerably short of the 1 billion UGX per month originally projected by Musisi, with the market itself only bringing in a monthly total of 60 million UGX by October 2016.²⁶⁷

Upon purchasing the market, the KCCA reduced the rent charged to vendors to 6,500 UGX per month. This, however, could change; as one respondent warned: “it’s just the beginning. Just wait.”²⁶⁸ The KCCA also suspended the UVA, an act that members felt robbed vendors of their “voice” in the market.²⁶⁹ In August 2015, the chairperson and spokesperson of the UVA were arrested for leading a demonstration against the KCCA’s reallocation of market stalls.²⁷⁰ The KCCA instead oversaw elections for representatives from all of the zones in the market, but in December 2015 introduced a new, unelected interim leadership that did not include these zonal leaders. The KCCA has promised future elections, but at the time of writing these have not yet taken place.²⁷¹ The KCCA also plans to upgrade Usafi by replacing the market’s wooden structures with something more permanent in line with the ideals of market development explored in Chapter Five.²⁷²

The problems that vendors have experienced at Usafi have caused some to question whether or not they have benefited from relocating to the market. Summarizing this sentiment, one respondent declared: “we thought we would get relief, but we didn’t get what we hoped for.”²⁷³ Others are convinced that their fortunes have actually worsened. In the words of one, before the introduction of the KCCA, “we would get by for ourselves, without begging. We would pay for school fees, we would pay for housing. But now, even with Usafi Market, we are not making

²⁶⁶ Ngwomoya, Amos, “Usafi: The ‘Ghost’ City Market Trading in Empty Space,” *Daily Monitor*, 13 December 2016g.

²⁶⁷ Ibid.

²⁶⁸ Interview, SACCO director, Usafi Market, 10 July 2015.

²⁶⁹ Group interview, Usafi Vendors Association, 18 July 2015.

²⁷⁰ Mulondo, Lawrence, “KCCA Officer Pins Usafi Market Leaders,” *New Vision*, 22 September 2015.

²⁷¹ Ngwomoya, Amos, “KCCA, Usafi Vendors Bicker Over Leadership,” *Daily Monitor*, 23 March 2016b; and “Usafi Market Gets New Leadership,” Kampala Capital City Authority, 18 December 2015, accessed 28 April 2016, <http://www.kcca.go.ug/?jsp=news&t=USAFI%20MARKET%20GETS%20NEW%20LEADERSHIP&sec=87#.VyS87vkrLs0>.

²⁷² Mulondo and Waiswa.

²⁷³ Group interview, Usafi Vendors Association, 18 July 2015.

enough.”²⁷⁴ “It’s a waste of time coming here,” one respondent admitted,²⁷⁵ so some vendors have left the market and returned to the streets. Those who have returned to street vending, and those who never abandoned it in the first place, further undermine Usafi by selling similar goods for less money in more accessible locations, illustrating how the market has further divided and increased competition between vendors.²⁷⁶ They also undermine the market in another way: originally planned to accommodate 10,000 vendors²⁷⁷ and able to hold about 5,000 when it opened, Usafi Market may have only held over 1,000 people shortly after it was purchased by the KCCA.²⁷⁸

The fact that so many street vendors have left or refused to relocate to Usafi reveals much about the market’s problems. Street vendors in Kampala face constant harassment by the KCCA, with arrests, extortion and confiscations all common occurrences. While vendors are not completely free from harassment at Usafi,²⁷⁹ working conditions at the market are certainly better than they are on the streets. And yet, because of high costs and few customers, many vendors choose or are forced to sell on the streets instead. Those who do eschew co-operation and compliance in favour of resistance.

b) Resistance

The KCCA’s ban on street vending means that vendors who remain on the city’s streets are forced to adopt strategies that allow them to do so. Political influence is not an option given the structure and operation of the KCCA, and neither is direct confrontation since the KCCA, in the words of one NGO worker, has the “support of the government coercive machinery”.²⁸⁰ Instead, street vendors rely on certain small-scale resistance strategies that allow them to avoid, survive or otherwise cope with repression.

A common strategy for street vendors is to bribe the KCCA’s enforcement agents, offering money in exchange for being left alone and allowed to continue to sell their goods. The primary risk that comes with this strategy is that vendors may not always have enough money to pay a bribe, particularly if they pay one officer only for another to demand one later. Failing to pay a

²⁷⁴ Ibid.

²⁷⁵ Interview, SACCO director, Usafi Market, 10 July 2015.

²⁷⁶ Interview, Usafi Vendors Association Member, 10 July 2015.

²⁷⁷ Mukisa, Farahani, “New City Market to House 10,000,” *Daily Monitor*, 11 January 2013.

²⁷⁸ Mulondo and Waiswa.

²⁷⁹ See, for example, Mukisa, Farahani, “KCCA Officers Arrested Over Bribes,” *Daily Monitor*, 26 September 2014.

²⁸⁰ Interview, Uganda National NGO Forum spokesperson, 17 August 2015.

bribe leaves a vendor without protection; for example, the vendor mentioned above who was fined and sent to prison was unable to pay a 10,000 UGX bribe.²⁸¹ Evasion is another strategy that vendors commonly employ. If vendors see an enforcement officer approaching, they will often conceal their goods and walk away, or at least try to appear as if they are doing something other than street vending (such as merely loitering). Small groups of street vendors may co-operate in evasion efforts by alerting each other when enforcement officers appear. Some vendors also sell at times when enforcement is low, such as during the evening or at night, and/or avoid areas of the city where enforcement is heaviest, particularly near the major businesses, government buildings and hotels in the Central Business District. These adjustments can even be good for business for reasons other than avoiding repression; selling in the evening, for example, gives vendors access to the many people in the city who are returning home from work at the end of the day, while many areas in Nakasero and Kisenyi where research for this thesis was undertaken have extremely busy streets and no shortage of potential customers.²⁸²

The strategies employed by street vendors in Kampala to remain on the city's streets can be understood in different ways. Scott's work on everyday resistance is particularly relevant since the actions of street vendors may not constitute outright confrontation—and indeed, directly avoid it—but nevertheless resist the application of power, in this case efforts by the state to eradicate street vending in the city. Following Scott, street vendors reject (or lack the ability to participate in) large-scale organized public action aimed at political transformation, and instead favour the less visible pursuit of short-term gains, focusing on self-preservation, subsistence and access to basic resources in a way that is both personal and spontaneous. The KCCA's coercive power and unresponsive nature makes open dissent both costly and ineffective; while vendors are unable to challenge the KCCA and the social, economic and political hierarchies that underpin its ban on street vending, they can still adopt strategies that mitigate the effects of its power.²⁸³

By responding to repression by remaining on the streets, street vendors in Kampala effectively seek to (re)negotiate rights of access to urban space and (re)insert themselves into a system of development from which they are actively excluded. If urban space is, in the words of Setšabi and Leduka, “an embodiment of relations of power and powerlessness”, vendors challenge

²⁸¹ Interview I, street vendor, 17 August 2015.

²⁸² This description of street vendors' strategies for dealing with repression is based on interactions with street vendors throughout the fieldwork undertaken for this thesis.

²⁸³ See, in particular, Scott (1985).

their marginalization by refusing to vacate the spaces that they depend on to support their livelihoods.²⁸⁴ Their very presence raises fundamental questions about who and what public space is for and how the city should be properly developed and managed, illustrating two seemingly contradictory views of Kampala: one, held by the KCCA, KACITA (and other traders in the city) and members of the growing urban middle and upper classes, that Kampala should strive to be an aesthetically pleasing, decongested, well ordered ‘modern’ city with an effective government that acts to regulate economic competition and ensure security; and another, held by certain segments of the urban poor and those who operate in the informal economy, that the city should accommodate and provide opportunities and viable livelihood strategies for all of its residents, not just those who adhere to narrow and exclusionary understandings of development and urban management. Street vendors constitute a segment of the urban poor that is seen as unwelcome in, and even an obstacle to, a modern urban landscape and economy; by remaining on the streets, they reject their exclusion and insist on benefiting from the economic opportunities the city has to offer. Space in Kampala has therefore become a battleground that is contested, by the KCCA, with arrests, fines and the confiscation of goods, and by street vendors, bribery and various forms of evasion.²⁸⁵ It is a battleground that is inseparably linked to the other arenas in which street vendors experience and combat exclusion: in politics where struggles occur over representation and voice, in economic life where vendors seek the right to engage in their trade and in society where vendors confront widespread opposition to their activities.²⁸⁶ Under the KCCA, the forms of exclusion faced by street vendors have significantly increased in extent and severity. Yet still, struggles over access to space in Kampala continue.

It is important, however, not to over-emphasize the agency that street vendors have in remaining on the streets in Kampala. Street vending can be a matter of necessity rather than choice given that other options for securing a livelihood are unrealistic or unavailable: relocating to a market or shop entails costs that many street vendors are unable to afford; leaving Kampala to return to the countryside most likely requires access to land, crops and/or animals and functioning markets (or other means of exchange), along with agricultural experience; and formal employment is unobtainable given the state of the country’s labour market and the fact that vendors often lack

²⁸⁴ Quoted from Setšabi and Leduka, 223.

²⁸⁵ The concept of space as a ‘battleground’ is presented in Mackie, Bromley and Brown. Also see Brown ed.

²⁸⁶ Inspired by Mackie, Bromley and Brown.

employable skills or extensive education. Vendors may simply remain on the streets because they have nowhere else to go and no other means of supporting themselves and their dependents; they resist state repression and exclusion not as an act of defiant opposition, but because failing to do so would have disastrous consequences. Recognizing street vendors' lack of options complicates interpretations of their actions; from one perspective, for example, the payment of money to enforcement officers is an effective way of avoiding harassment, but from another, it is a form of extortion that vulnerable vendors have no choice but to pay. Rumours that some female vendors are forced to exchange sexual favours for protection are more troubling, and point firmly to coercion and desperation rather than agency. Agency still exists for street vendors to resist repression, but it does so in the context of limited choice, personal risk and livelihood threats, and often merely mitigates only the worst effects of the coercive power of the state. While these strategies play an important role in allowing vendors to remain on the city's streets, it is necessary to acknowledge their significant limitations.

c) Further Attempts at Organization

The KCCA's ban on street vending and its co-option and repression of street vendor organizations has significantly altered the organizational landscape for street vendors in Kampala. The organizations that vendors formerly relied on for various forms of support have mostly disappeared or co-operated with the KCCA, primarily in the establishment of Usafi Market, leaving no large groups to oppose the KCCA's ban or speak against its treatment of vendors who remain on the streets. Attempts by vendors to form new organizations of any size have faced major obstacles. Since street vending is now an illegal activity, it is difficult for groups of street vendors to gain legitimacy and recognition, and fear of arrest acts as a powerful deterrent. Given the charged political environment that exists in the city (and in the country as a whole), some street vendors are concerned about being seen as participating in 'anti-government' activities.²⁸⁷ Under the KCCA, street vendors who wish to organize face little chance of influencing policy and a high chance of further repression. In such a situation, a lack of organization is understandable.

Street vendors who wish to organize also have important practical concerns. The Public Order Management Act means that vendors (like all other Ugandans) who plan to hold public meetings, rallies or demonstrations require official approval that, given their political status, is

²⁸⁷ Group interview, street vendors, 24 February 2015.

obviously not forthcoming. Some respondents stated that when they try to find a place to hold a meeting, they get scared when asked about the meeting's purpose, reflecting the climate of fear and intimidation in which organization has to take place.²⁸⁸ It can be difficult to organize meetings given that street vendors generally work all day, after which they are often tired, stressed and busy with other obligations (such as caring for dependents). Even when meetings do take place, people often voice common concerns, such as difficulties arising from a shared condition of poverty, that have no obvious solutions.²⁸⁹ The fact that vendors are so focused on earning a living, and that doing so entails competition, also serves as an impediment to co-operation. One respondent stated that street vendors might be able to "get a politician" if they organized effectively, but stated that "it is very difficult to come together and form an organization, because everyone is always on his business" and not thinking of the benefits of co-operation.²⁹⁰ Given how the KCCA is structured and operates, however, even if street vendors were able to 'get a politician', the effects would likely be limited.

Yet rare attempts to organize still occur. These are certainly much less common than they were under the KCC, and have not only failed to have any influence on political decision-making, but also usually fail to overcome the problems that come with organizing street vendors under the KCCA. The scope of this organization is so small that it ranges from the failed meetings that vendors described in interviews to more ambitious efforts that prove difficult to sustain. As an example of the latter, a group of vendors interviewed for this thesis had founded an organization called Kampala Hawkers Association two months previously. These vendors, who formed a nine-person committee that led the organization, sought to recruit members by taking advantage of the social networks that permeate the informal sphere, and claimed that their efforts had been met with an overwhelmingly positive response. Still, their efforts were running into familiar obstacles: after hosting a meeting that was apparently well attended, the group was struggling to raise money and find locations to hold further meetings. In pursuit of political influence, the group planned to bypass the KCCA and appeal directly to the President, who was viewed as the "only person who can solve the problems of our state".²⁹¹ At the time of writing (over one year after the initial interview was conducted), the Kampala Hawkers Association still exists, but has thus far not been

²⁸⁸ Ibid.

²⁸⁹ Ibid.

²⁹⁰ Interview II, street vendor, 17 August 2015.

²⁹¹ Group interview, Kampala Hawkers Association, 8 July 2015.

able to communicate with the President. Rejecting Usafi Market as too expensive for many street vendors, it has turned its focus to helping street vendors acquire skills that will allow them to move out of informal vending and into other trades, such as agriculture or craftsmanship, reflecting the view that their best chances of securing a decent livelihood involves abandoning informal vending altogether.²⁹² The Kampala Hawkers Association has so far avoided the fate of an unknown number of other attempts by street vendors to organize under the KCCA that fail to have any meaningful impact or disband entirely. This, however, makes it an exception.

There have been some attempts by outsiders to organize street vendors. The National Union of Informal Economy Workers' Organizations (NUIEWO) brings together already existing street and market vendor organizations to collectively advocate for vendors' rights and provide various forms of aid. It is affiliated with StreetNet, an international NGO based in South Africa that provides financial and technical support as well as assistance with training, logistics and advocacy.²⁹³ The fact that NUIEWO is made up of existing organizations rather than individual members, however, means that it depends on these organizations to exist in the first place. Another organization, Platform for Vendors Uganda (PLAVU), recruits both individual informal vendors and organizations in its efforts to improve vendors' representation in policymaking and provide programs that improve vendors' livelihoods. It, too, faces significant challenges. Street vendors, even when interested in organizing, are often sceptical that progress can be made, and may fear that the organization will just take their money and abandon them. Questions surrounding how the organization will be able to combat repression are particularly pertinent given the KCCA's commitment to eradicating street vending and its lack of responsiveness to input.²⁹⁴ The opposite of political exclusion is a problem as well; the leader of PLAVU claims NUIEWO has started working too closely with the government, compromising its ability to champion the concerns of vendors, and professed his desire to avoid being co-opted in the same way.²⁹⁵ The organization also struggles with resources, which is understandable considering that its members are generally

²⁹² Email interview, Kampala Hawkers Association leader, 10-12 July 2016.

²⁹³ Interview, NUIEWO founder, 7 March 2015.

²⁹⁴ These were the primary concerns, along with those surrounding financial assistance, raised in group interview, PLAVU recruitment meeting, 26 February 2016. They were also raised in: group interview, street vendors, 24 February 2015; and interview, leader of Platform for Vendors Uganda, 23 February 2015.

²⁹⁵ Interview, leader of Platform for Vendors Uganda, 6 March 2015.

poor and have little money to contribute.²⁹⁶ This, along with the political environment in which it operates, makes progress extremely difficult.

While the ability of formal unions to assist those in the informal economy is a major topic in the literature on informal economic activity,²⁹⁷ formal unions in Kampala have not shown any interest in organizing street vendors. Like many others in the formal sphere, unions view street vendors as a source of unfair competition.²⁹⁸ The fact that street vendors are self-employed, and therefore lack the employer-employee relationship that unions are generally structured around, complicates matters further. While unions, with their significant resources and established channels of political communication, may have the potential to assist street vendors, the differences between the two in this case seem, at least at present, to be insurmountable.

In general, most of the street vendors interviewed for this thesis were unaware of any organizations, at any level, that they were able to join and that worked to advance their interests. The organizations that existed under the KCC have mostly disbanded or been co-opted, and little has emerged to take their place. Rare attempts by street vendors to organize have been almost entirely unsuccessful, while civil society groups that work with vendors face major problems of their own. It is the introduction of the KCCA, with its repression of street vendors and their organizations and the fact that it does not rely on external input and support, that has so dramatically altered the organizational landscape for street vendors in Kampala. With so few opportunities for organization left, street vendors' agency has been greatly limited.

v. *The 2016 Elections and the (Brief) Return of Political Competition*

While street vendors in Kampala have suffered from the restricted political environment that followed the introduction of the KCCA, the local and national elections that take place every five years still offer the possibility of renewed political competition on a regularly recurring basis. Interview respondents frequently stated that elections offer periods of reduced repression,²⁹⁹ and the UVA planned to appeal to the President during the election period, viewing it as an opportunity

²⁹⁶ Interview, leader of Platform for Vendors Uganda, 23 February 2015; and interview, Platform for Vendors Uganda organizer, 26 February 2015.

²⁹⁷ See Chapter Two, Notes 82-87.

²⁹⁸ Interview, leader of Platform for Vendors Uganda, 23 February 2015.

²⁹⁹ This point was expressed a number of street vendors: group interview, street vendors, 26 February 2015; and group interview, street vendors, 3 July 2015. It was also noted, much more negatively, by a spokesperson for KACITA: interview, KACITA representative, 11 July 2015.

for political influence at all levels of governance.³⁰⁰ The 2016 elections, however, were the first in Kampala since the introduction of the KCCA. This is of course significant since the KCCA is far less dependent on electoral support than the KCC given the degree to which it is controlled by the central government and unelected technocrats. Still, positions in its political wing remain elected, regardless of how marginalized politicians may be. Perhaps even more significantly, local elections roughly coincide with Presidential elections, during which candidates compete for political support and Museveni frequently resorts to populist appeals (as explored further in Chapter Five).

Street vendors in Kampala have a history of taking advantage of favourable circumstances, no matter how rarely these may arise. In the past, changes to the potential costs and benefits of street vending have caused large numbers of vendors to return to the city's streets: under the KCC, increased demand for goods around Christmastime;³⁰¹ under the KCCA, a strike by traders in shops in opposition to fees for the inspection of goods;³⁰² and, perhaps most notably, during the brief period following Lukwago's impeachment when the KCCA suspended all of its operations due to the treatment of its staff by the public.³⁰³ By offering a brief period of political competition, elections even more dramatically alter the political circumstances of street vendors. It is during these times that street vendors are able to transcend the everyday resistance that they engage in to remain on the streets and instead participate in what Bayat terms 'the quiet encroachment of the ordinary', or "the silent, protracted, pervasive advancement of the ordinary people on the propertied, powerful, or the public, in order to survive and improve their lives".³⁰⁴ Following Bayat's critique of Scott, they cease merely resisting state power through defensive measures, and instead proactively make claims that advance their own interests in a way that is fundamentally offensive.³⁰⁵ Simply remaining on the streets and avoiding harassment by the KCCA is generally the most that street vendors in Kampala can strive for; during periods of exception, however, street vendors may have the opportunity to make certain gains that improve their livelihoods. These periods are invariably followed by further repression that eliminates most, if not all, of the gains made by vendors and returns them to their previous position. Nevertheless, such times give a

³⁰⁰ Group interview, Usafi Vendors Association, 18 July 2015.

³⁰¹ Mwanje, 2007a.

³⁰² Anguyo, Innocent, "Vendors, Hawkers Reap Big Amid Traders' Strike," *New Vision*, 29 June 2013.

³⁰³ Waiswa, Juliet, "KCCA Shutdown: Vendors Back on Kampala Streets," *New Vision*, 29 November 2013.

³⁰⁴ Quoted from Bayat (2010), 56.

³⁰⁵ Bayat (1997); Bayat (2000); and Bayat (2010).

certain degree of dynamism to the otherwise relatively balanced equilibrium that characterizes the relationship between street vendors and a highly repressive state.

A cycle of enforcement can therefore be seen to exist around elections. The repression of street vendors is greatest when electoral concerns are less relevant, then diminishes during election periods before sharply increasing again once elections are over. The existence of the KCCA certainly diminished the extent to which significance of political competition in the 2016 elections, but the competition still existed nonetheless. Street vendors interviewed for this thesis reported lower levels of repression as early as July 2015,³⁰⁶ and many returned to the streets in the months leading up to the elections despite warnings by the KCCA not to do so.³⁰⁷ In May 2015, the KCCA began closing off Luwum Street in the city centre on Sundays in order to set up a temporary ‘market’ for street vendors, a move that was widely seen as influenced by upcoming elections.³⁰⁸ Like Usafi, however, the Sunday market has significant problems. The KCCA, which runs the market, charges vendors a fee of 10,000 UGX for a space, making it too expensive for many, and a rule banning the sale of food acts as a further restriction. Traders at the Sunday market generally sell large amounts of goods—usually clothing or accessories—suggesting that they are not poor street vendors. In fact, many actually come from other markets in the city. The Sunday market does have one unexpected benefit for vendors, however: the KCCA officers that run and police the market are taken away from their usual duty of patrolling the city’s streets, reducing enforcement for vendors who do not relocate to Luwum Street on Sundays.³⁰⁹

The NRM’s efforts to gain support in Kampala proved to be unsuccessful. In the general elections held on February 18, 2016, Besigye won Kampala with a total of 334,919 votes, more than doubling Museveni’s total of 157,098.³¹⁰ Museveni was re-elected by a strong national majority, but this was his worst performance in the city in his five electoral victories since 1996.³¹¹ Less than a week later, on February 24, Lukwago was re-elected as Lord Mayor of Kampala with

³⁰⁶ Group interview, street vendors, 3 July 2015.

³⁰⁷ Mulondo, Lawrence, “KCCA Warns Traders Against Street Vending During Campaigns,” *New Vision*, 13 November 2015.

³⁰⁸ Group interview, street vendors, 3 July 2015; interview, leader of Platform for Vendors Uganda, 4 July 2015; and interview, Erias Lukwago, 10 August 2015.

³⁰⁹ This description is based on time spent at the Sunday market, as well as: group interview, street vendors, 3 July 2015; group interview, street vendors, 5 July 2015; interview I, street vendor, 17 August 2015; interview, leader of Platform for Vendors Uganda, 4 July 2015; and interview, Erias Lukwago, 10 August 2015.

³¹⁰ Kiggundu, Edris, “Musisi Doing a Great Job – Tumwebaze,” *The Observer*, 2 March 2016b.

³¹¹ Kiggundu, Edris, “Lukwago Win Bad for Museveni, Musisi,” *The Observer*, 26 February 2016a.

75.5% of the vote, an increase of over 11% from his previous victory in 2011.³¹² Lukwago again framed himself as a champion of “the aspirations of the people” and criticized the “repressive policies initiated by government where a handful benefit” at the expense of the majority of the city’s population.³¹³ The NRM similarly performed poorly in the KCCA council elections, losing the majority it had won in 2011 by winning only six council seats while the FDC won 19, the DP won two and three were won by opposition-leaning independents.³¹⁴ It also failed to win a single city division mayoral seat.

On February 21, following his defeat in the city but before the KCCA elections, Museveni suggested that he may have performed so poorly in Kampala due to the KCCA’s treatment of street vendors. The President did not express opposition to the ban on street vending, but did express his apparent displeasure with the fact that the evictions were carried out before a viable alternative for vendors to trading on the streets could be established.³¹⁵ Street vendors apparently took these statements as a sign of support from Museveni, and returned to the city’s streets in even larger numbers.³¹⁶ KACITA, as it did in 2002 and 2011, put pressure on the KCCA to evict the street vendors, which the KCCA agreed to do in a meeting with KACITA on March 9. Evictions took place on March 11 in an exercise that was called ‘restoration of trade order and sanity’.³¹⁷

Following his victory in the 2016 Presidential elections, Museveni adopted the slogan ‘Kisanja hakuna mchezo’ to define his new term in office, which, loosely translated, promises an end to ‘business as usual’ in the country.³¹⁸ The opposition’s victory in Kampala has certainly led to one major change in the relationship between the KCCA and the central government: Musisi, after being blamed for the President’s electoral defeat, has been marginalized in favour of Beti Kamya-Turwomwe (commonly known as Beti Kamya), the new Minister for the KCCA who replaced Tumwebaze in June 2016. Kamya’s appointment is particularly notable given her past as an opposition figure; from 2006 to 2010 she served as an MP for the FDC in the city, and

³¹² Kiyonga, Derrick, “Lukwago to Fight for Rule of Law and Accountability,” *The Observer*, 29 February 2016.

³¹³ Quoted in *ibid*.

³¹⁴ Mugerwa, Yasiin, “A New Dawn for KCCA?” *Daily Monitor*, 12 June 2016.

³¹⁵ *Ibid*; and Kiyonga (2016).

³¹⁶ Ngwomoya, Amos, “KCCA Orders Vendors Off Kampala Streets,” *Daily Monitor*, 2 March 2016a; and Ssemugabi, Abdul-Nasser, “Call it a Mess but Downtown Kampala is a Vendors’ Goldmine,” *Daily Monitor*, 10 March 2016; “Will Vendors Leave the Streets?” *New Vision*, 2 March 2016.

³¹⁷ Busomoke, Peter, “KCCA Forces Vendors Off Kampala Streets,” *New Vision*, 11 March 2016; and Ojiambo, Benon, “KACITA, KCCA on Collision Course Over Street Vendors,” *New Vision*, 1 March 2016.

³¹⁸ This translation is taken from “Museveni’s Invitation to City Leaders Revives Old KCCA Fights,” *Daily Monitor*, 24 October 2016.

subsequently formed her own political party, the Uganda Federal Alliance (UFA), for which she ran for President in 2011 and later campaigned against the concentration of power around the Executive.³¹⁹ She is the first KCCA Minister who does not also serve as the Minister for the President, with the office now elevated to the position of an independent Ministry.³²⁰ While Museveni's appointment of Kamya may appear to suggest a willingness to work with the opposition, it is much more widely viewed as a way of bringing an already sympathetic figure closer to the ruling party.³²¹ Although she has denied effectively joining the NRM, Kamya has acted as an effective surrogate for Museveni in Kampala, expressing the opinion that the KCCA has too much independence, criticizing opposition leaders for abusing their powers and pledging her support to the President in the 2021 elections—despite the fact that he will be 77 years old at the time and therefore exceed the age limit of 75 established by the Constitution for Presidential candidates—in which she has predicted he will win 80% of the vote in the city.³²² Breaking sharply with her opposition past, Kamya has become, in the words of the *Daily Monitor*, the President's "go-to mobilizer in Kampala".³²³

Struggles between the opposition and the ruling party remain a defining feature of the KCCA as the central government refuses to loosen its hold on power in the city. Before leaving his post as KCCA Minister to become Minister of Information and Communications Technology, Tumwebaze stated that although Lukwago was re-elected as Lord Mayor, the "NRM won to lead Uganda", and therefore "Lukwago has no choice but to implement NRM policy idea[s]" in the city.³²⁴ He also proposed amendments to the KCCA Act in the run-up to the 2016 elections that would make the Lord Mayor appointed by councillors rather than elected by popular vote, and while these were not debated before the elections were held, he hopes that they will be considered by the new Parliament.³²⁵ The KCCA's elected councillors continue to complain about being marginalized within the local government, and accuse Kamya of failing to attend their meetings

³¹⁹ For Kamya's campaign against the concentration of Presidential power, see Wakabi, Michael, "Can Beti Kamya Change Uganda This Time Round?" *The East African*, 5 October 2013.

³²⁰ Sserunjogi, Eriasa Mukiibi, "Museveni Redraws Plan to Win Over Kampala," *Daily Monitor*, 25 September 2016a.

³²¹ See, for example: Ngwomoya, Amos, "My Colleagues in Opposition Never Supported Me," *Daily Monitor*, 31 October 2016f; and Sserunjogi, Eriasa Mukiibi, "Was Beti Kamya Always Spying on the Opposition?" *Daily Monitor*, 11 September 2016b.

³²² Ibid. Also see "Constitution of the Republic of Uganda," Chapter Seven, Article 102, Subsection (b).

³²³ Quoted from Sserunjogi (2016a).

³²⁴ Quoted in Mugerwa (2016).

³²⁵ Ibid.

or act on the resolutions that they pass.³²⁶ Any changes that the 2016 elections may have brought to the political landscape of Kampala remain superficial. The President and the NRM continue to dominate the politics of the city while the opposition struggles to exert any influence within the KCCA's rigid structure.

Street vending has again emerged as a primary point of contention under the new KCCA. On September 30, Kamya announced that street vendors would be evicted in two months after the KCCA had the opportunity to study conflicts in the city's markets.³²⁷ She then issued a directive on October 19 that vendors must leave the streets voluntarily or be forced out by the KCCA, and on October 25, the KCCA began undertaking major evictions that were, according to the *Daily Monitor*, characterized by "bloodshed and bullets".³²⁸ Kamya later justified the evictions by emphasizing the need to restore 'trade order' in the city and cited concerns about traders in shops losing business, owners of commercial buildings being unable to collect rent from their tenants, taxi drivers having nowhere to park and residents being unhappy with poor sanitation in the city.³²⁹ She also claimed that street vendors could not coexist with traders in the city's shops because they block entrances to the city's arcades,³³⁰ and that the existence of street vending had led to violence between the two groups.³³¹ Further adhering to the discourse that had long been used to justify the removal of street vendors from the city, Kamya also stated that vendors pose "a security threat", lead to "littering" and "make it impossible to maintain and clean the roads and walkways", and called upon all residents "who want and need a clean, vibrant and orderly city to cooperate with the KCCA enforcement team".³³² Before the evictions were announced, traders in the city's shops were apparently refusing to pay their taxes due to the amount of business they were losing to street vendors.³³³ In fact, Kamya even claimed that the revenue losses caused by street vending were so severe that the KCCA would likely only collect 50 billion UGX in 2016/2017, down from 87

³²⁶ Ngwomoya, Amos, "Minister Kamya Rendering Us Irrelevant – Councillors," *Daily Monitor*, 16 December 2016c.

³²⁷ Ngwomoya, Amos, "Minister Kamya Wants Vendors Off City Streets in 2 Months," *Daily Monitor*, 2 October 2016d.

³²⁸ Quoted from Ngwomoya, Amos, "Museveni Tasks KCCA to Create More Markets," *Daily Monitor*, 28 October 2016e. Also see: Nantaba, Agnes, "Kampala City Vendors Versus Minister Kamya," *The Independent*, 31 October 2016; Ngwomoya, Amos, "KCCA Councillors Gazette Some Roads for Street Vendors," *Daily Monitor*, 25 October 2016a; Ssali, Godfrey, "Minister for Kampala Kamya Kicks Out 'Illegal' Street Vendors," *The Independent*, 19 October 2016; and Ngwomoya (2016g).

³²⁹ Ngwomoya (2016g).

³³⁰ Ibid.

³³¹ Kasule, Farooq, "Vendors Petition President Over KCCA Harassment," *New Vision*, 30 October 2016.

³³² Quoted in Ssali.

³³³ Ngwomoya (2016e).

billion UGX in the previous fiscal year.³³⁴ Such a dramatic decline, if it indeed occurs, would almost certainly not be caused solely by street vendors given the diversity of the KCCA's revenue sources (as outlined in Chapter Five).³³⁵ Still, street vendors continue to be blamed for many of the city's problems.

Facing evictions and renewed harassment by the KCCA, street vendors appealed to the President to come to their aid.³³⁶ Given the tacit support that he appeared to offer them in the run-up to the elections, vendors' hopes that he would again intervene in the city's politics on their behalf were understandable. With the elections over, however, Museveni declared his support for the evictions on November 2, stating that the presence of street vendors harms revenue collection from the city's shops and impedes the flow of traffic.³³⁷ The only support he offered was to order the KCCA and city divisions to establish new locations where vendors can sell their goods and instruct government authorities to provide vendors with financial assistance to help them relocate to markets.³³⁸ As usual, the support that street vendors received came mainly from the opposition in the city. Lukwago criticized Kamya's eviction directive, arguing that she should stop targeting poor vendors and instead respect the decisions made by the KCCA's political wing.³³⁹ On October 24, KCCA councillors held a meeting to address the issue of street vending in Kampala in which they unanimously voted to allow vendors to operate on certain city roads—namely Nakivubo Road, Allen Road, Nakivubo Mews Road and Kafumbe Mukasa Road, all of which are near Nakivubo Stadium and thus the markets of Owino and Park Yard—in the evening,³⁴⁰ but this is one of the many resolutions that Kamya has failed to act on.³⁴¹ The KCCA began its large-scale evictions the next day.

The 2016 elections may have caused a return of political competition in Kampala that street vendors were able to take advantage of, but this was short-lived. The repression of street vendors has resumed, and there is no evidence that the KCCA will change its policies on street vending. Its structure and operation give it little reason to do so.

³³⁴ Kasule.

³³⁵ See Figure 7 in Chapter Five.

³³⁶ Kasule.

³³⁷ "Vendors Must Leave Kampala Streets- Museveni".

³³⁸ Ibid; and "Government Plans Relocation Package for City Vendors," *Daily Monitor*, 23 October 2016.

³³⁹ Mukhayе, Damali, "Lukwago Tells Off Kamya Over Eviction of Vendors," *Daily Monitor*, 20 October 2016.

³⁴⁰ Ngwomoya (2016a).

³⁴¹ Ngwomoya (2016d).

Part III: Conclusions

The political evolution of Kampala has had a dramatic impact on the city's street vendors. The NRM's twin programs of decentralization and democratization empowered the KCC and made its leaders subject to popular support. This resulted in a highly divided political environment in which politicians from the ruling party and opposition engaged in intense competition for control of the city, allowing street vendors to take advantage of their position as a key urban voting demographic and trade their political support to accommodating self-interested politicians for the right to remain on the city's streets (and other forms of favourable treatment). The circumstances created by decentralization and democratization in Kampala provided street vendors with the opportunity to insert themselves into the city's political decision-making process, an opportunity that they took full advantage of.

This situation, however, did not last. Decentralization and democratization were always undertaken by the NRM for self-interested reasons, and frequently manipulated or reversed accordingly. In Kampala, decentralization and democratization facilitated the rise and political dominance of the opposition; this was not something that NRM-led central government would abide. The central government therefore recentralized and de-democratized political power in the city by replacing the KCC with the KCCA, investing a significant amount of power in technocrats appointed by the central government and President at the expense of elected local officials. Since the introduction of the KCCA, the body's technocratic wing has sought to further minimize the power of local politicians by dominating decision-making and trying to force out a popular Lord Mayor. The ability of street vendors to exercise political influence has all but disappeared.

To justify its existence, the KCCA has implemented major urban development and management initiatives that are aimed at transforming Kampala into a supposedly 'modern' city. Street vendors, who are seen to represent the disorder, insecurity and economic chaos that the KCCA seeks to eradicate, have no place within the KCCA's vision of a developed, well managed city, and face significant repression as a result. The closed political space that exists under the KCCA means that street vendors have lost the ability to influence the formation and implementation of policy that they enjoyed under the KCC, forcing them to respond to repression in other ways: through compliance and co-operation, through resistance and through further attempts to organize. These efforts have been met with limited success, but nevertheless demonstrate that the city's new restricted political environment has not caused the agency of street

vendors to disappear entirely. Street vendors also tried to take advantage of the return of political competition that accompanied the 2016 elections, but these gains were small and largely temporary.

After having their agency expand under the KCC, therefore, street vendors have seen it contract significantly under the KCCA. The political competition fuelled by decentralization and democratization that existed in Kampala has disappeared, and in its place is a new system of centralized control in which technocrats are attempting to impose a form of development and urban management that is hostile to street vending. The modern political evolution of the city has been directed by the interests of the NRM: decentralization and democratization allowed it to secure and expand its control of the country after coming to power, and the takeover of Kampala by the central government allowed it to regain control of the city from the opposition. Such considerations of the powerful may seem far removed from the lives of street vendors, but because they have fundamentally altered the political fabric in which vendors exist, their effects have been profound.

Chapter Five: The Politics of Market Ownership and Development

Like street vending, market vending is an activity that is fundamentally shaped by the politics that surround it. Whereas street vendors in Kampala negotiate their ability to access urban space and participate in an otherwise exclusionary economy by resisting state-led eradication attempts, market vendors do so by engaging in struggles to lead the management and development of the informal markets that they depend on for their livelihoods. The state, in its various forms, plays a crucial role in these struggles by formulating policies concerning the management and development of markets and involving vendors in crucial decision-making processes to varying degrees. As a result, vendors are profoundly impacted by changes in their relationship with the state over time.

This chapter examines how the state has shaped the agency of market vendors in Kampala. It argues that market vendors were able to take advantage of the divisions that existed between the opposition-led KCC and the President to successfully oppose market privatization, but subsequently had their agency reduced due to the proliferation of internal conflicts that the state has played an important role in initiating and manipulating. While opposition to privatization united vendors, the later policy that vendors could manage and develop their own markets reignited and exacerbated significant divisions that exist within markets by provoking major disagreements about representation in market leadership and how, exactly, development projects should be designed and implemented. Since the introduction of the KCCA, some groups of market vendors have been able to seek support from either the President or the KCCA to advance their competing claims; this has allowed the President and the KCCA, in turn, to take advantage of the support offered by vendors to pursue their own interests in the city's markets, which are, for Museveni, increasing his personal popularity at the expense of the opposition, and for the KCCA, controlling markets to improve revenue collection and lead urban development. Market vendors' agency is further restricted by the fact that market associations regularly face co-optation, neglect or repression, and often reflect the deep socioeconomic hierarchies that exist within markets, fail to represent the interests of their members and struggle to implement their management and development plans. Still, the President's efforts to improve his popularity amongst market vendors have experienced little success, and market vendors primarily take advantage of elections as periods of brief political competition that allow them to advance their own interests, even if the

gains they are able to make are limited and do not fundamentally alter their political, social and economic marginalization.

This chapter is divided into two parts. Part I explores how market vendors successfully blocked efforts by the KCC to privatize Kampala's markets by securing the support of the President for their cause. Noting the extent to which the KCC's financial problems that led to privatization were largely the result of political conflicts between the opposition and the ruling party, it shows how market vendors united in opposition to privatization and appealed to the President to intervene on their behalf. It describes how Museveni, who was always willing to undermine the authority and effectiveness of the KCC and intent on attracting popular support at the expense of the opposition, acceded to these appeals, and announced a new policy that vendors have the right manage and develop their own markets. To capture the complexity of the KCC's market privatization process, it explores how these events unfolded in three of the city's largest markets: Owino, Kisekka and Nakawa.

Part II examines the conflicts surrounding management and development that came to consume Kampala's markets following the President's intervention. It first situates these conflicts in the context of the central government's increasingly ambitious plans for market development in Kampala and the country as a whole, as well as plans by the KCCA to take over the management of the city's markets to improve revenue collection and realize its urban development goals. It then examines how these conflicts have played out in Owino, Kisekka and Nakawa, demonstrating how different groups in these markets are able (or unable) to advance their claims by securing the backing of either the President or the KCCA, and how the President and the KCCA take advantage of this support. These conflicts highlight major divisions with deep socioeconomic roots that exist within markets, and the nature of these divisions and the extent to which they ultimately limit agency by serving as a major obstacle to collective action is considered. Part II concludes by arguing that the President's efforts to increase his popularity in markets have been largely unsuccessful, and that market vendors are able to take advantage of the divisions that exist between the ruling party and the opposition during elections for their own limited gain, although doing so does not greatly enhance their ability to participate in urban development and economic life in the city.

Part I: The Privatization of Kampala's Markets

The privatization of Kampala's markets can only be understood in the context of the politics of the city under the KCC. Privatization was largely driven by the KCC's chronically poor financial situation, but the city government's underperformance was itself largely due to partisan conflicts between the opposition and the ruling party. It is these same conflicts that market vendors ultimately took advantage of to secure the support of the President and put an end to the KCC's market privatization program.

i. The KCC's Financial Struggles

The KCC, like all local governments in Uganda under the LC system, was financed in two primary ways: first, through grants from the central government; and second, through local revenue derived from taxes and fees. Grants took three primary forms:

1. *Unconditional Grants*: money given to local governments to finance services in the country's decentralized political system.¹ Unconditional grants are calculated according to the amount given in the previous fiscal year adjusted for price and budgeting changes.²
2. *Conditional Grants*: money given to local governments to finance specific programs under particular conditions agreed upon with the central government.³
3. *Equalization Grants*: money given to poorer local governments to improve service provision in accordance to national standards.⁴

Taxes and fees were more varied. The most important were:⁵

¹ "Constitution of the Republic of Uganda," Chapter Eleven, Article 193, Section 2; and "Local Governments Act," Part VIII, Section 83, Subsection 2.

² "Constitution of the Republic of Uganda," Seventh Schedule.

³ "Local Governments Act," Part VIII, Section 83, Subsection 3.

⁴ *Ibid*, Part VIII, Section 83, Subsection 4.

⁵ Some of these are outlined in "Local Governments Act," Fifth Schedule. This list is compiled based on research undertaken for this thesis.

1. *Graduated Tax*: a tax levied on all males at or above the age of 18 regardless of employment status and all females at or above the age of 18 engaged in employment or business. The amount owed was dependent on assessed income.
2. *Property Tax*: a tax levied on the value of property.
3. *Trading Licences*: a tax collected from registered businesses that authorizes business activities.
4. *Local Hotel Tax*: a tax on the occupation of a hotel room.
5. *Local Service Tax*: a tax levied on the wealth and incomes of individuals engaged in employment or business.
6. *Ground Rent*: money collected from the lease of land owned by the KCC.
7. *Taxi Fees*: money collected from Uganda Taxi Operators and Drivers Association (UTODA), the organization that monopolized the taxi industry and managed the taxi parks in Kampala.
8. *Market Fees*: money collected from market vendors for the use of a market.
9. *Land Fees*: a tax levied on land transactions.
10. *Building Plan Fees*: fees for the necessary approval of building development plans.
11. *Other*: a collection of sources of small amounts of income, including parking, advertising and various fines and penalties.

Despite its many sources of income, the KCC constantly struggled with significant financial problems. Throughout its time within the LC system, it consistently failed to meet its own revenue targets, forcing it to downgrade its budgetary plans.⁶ According to Goodfellow, from 2001-2009, local revenue growth averaged 3.63% per year, trailing Kampala's GDP growth (7.63%), inflation (6.77%) and population growth (4.14%).⁷ In 2001, 61% of the KCC's funds came from local revenue; in 2008, this had fallen to 42%.⁸ Low revenue growth made the KCC increasingly reliant on the central government for financial support, negatively impacting its autonomy, while decentralization resulted in a rise of conditional grants in relation to unconditional grants, further increasing the central government's control.⁹ Financial problems also

⁶ Goodfellow (2012), 244-246.

⁷ Ibid, 246.

⁸ Ibid, 245.

⁹ Makara, 167-168.

caused paralysis throughout the city's government structure; Makara, for example, finds that officials in Kampala's five city division councils (LC3) often accused the KCC of failing to remit required funds, and village councils (LC1) similarly accused divisions of failing to meet funding obligations.¹⁰

The KCC's financial struggles had deeply political roots. The grants that it became increasingly reliant on for its funding got caught up in the ongoing struggles between the NRM and the opposition that defined the city's politics, with the NRM-led central government inadequately funding the opposition-led KCC as a means of undermining its legitimacy and ability to carry out its core functions. For example, Lambright finds that in 2009/10, central government transfers to the KCC were only 47.5% of the per capita average for districts across the country; for unconditional grants, the figure was only 38.8%.¹¹ Transfers from the government to nearby Entebbe, which was controlled by the NRM, were 250% of what Kampala received, and unconditional grants were higher still at 435.6%.¹² Unrecorded transfers for patronage purposes may have widened the gap further.¹³ Given that Kampala is the country's largest city and political and economic centre, and therefore a place where services and physical assets are highly concentrated, such discrepancies are particularly damaging.

Political interference affected the KCC's revenue collection as well. This most notably occurred with the abolition of the graduated tax, the KCC's largest source of revenue, in 2005. The graduated tax, with its colonial roots, had long been unpopular. It was regressive, its assessment process was often corrupt and its collection could be both brutal and economically inefficient.¹⁴ When campaigning for the 2001 elections, Besigye promised to abolish the tax. Museveni responded by promising to improve assessments and lower its threshold from 10,000 to 3,000 UGX. The President also suggested that people should not be 'disturbed' by tax collectors during the election, and his remarks were taken by many to imply that the tax did not need to be paid.¹⁵ Collection declined significantly as a result, with total revenue raised from the graduated tax across the country falling from 89 billion UGX in 1997/98 to 44 billion UGX in 2001/2002.¹⁶ The decline

¹⁰ Ibid, 161. For the distribution of funds within the LC system, see "Local Governments Act," Fifth Schedule, Part V.

¹¹ Lambright (2012), 10.

¹² Ibid.

¹³ Ibid, 14-15.

¹⁴ Makara, 289-290.

¹⁵ Cammack et al., 33.

¹⁶ Williamson, Tim, "Fiscal Decentralisation," in Kuteesa et al. eds., 321.

in Kampala was less severe, with graduated tax revenue only falling from 3.82 billion UGX in 1998/99 to 3.52 billion UGX in 2004/05,¹⁷ the last year in which it was collected, at which point it made up 14.5% of local revenues.¹⁸ Local revenues for 2005/06 were down 8.4% from the previous year.¹⁹ To make up for the shortfall, two new taxes, the Local Service Tax (which does not apply to many informal activities)²⁰ and the Local Hotel Tax, were introduced in 2007 to take effect the following year. These proved to be inadequate, however, bringing in less than 300 million UGX from a projected 1.5 billion UGX for the KCC in their first year.²¹ As Cammack points out, the abolition of the graduated tax had a debilitating impact on local governments throughout Uganda, making many unable to pay salaries, hire new staff, make debt or pension payments, supplement donor funding or even hold council meetings.²²

The collection of property taxes, the second most important source of local revenue for the KCC, was also significantly undermined by the central government. During the run-up to the 2006 elections, Museveni criticized the property tax, suggesting that the burden of paying it should fall on wealthy landowners with income properties rather than homeowners.²³ After the election, Parliament passed the Local Governments (Rating) (Amendment) Act, which exempted all owner-occupied residents in the country from property taxes.²⁴ This change likely cut the KCC's revenues from property taxes by 50-75% from what they otherwise would have been following extensive revaluations undertaken in 2005.²⁵ Furthermore, Goodfellow finds evidence that major properties in the city had their values—and thus their property tax obligations—significantly reduced after the 2005 revaluations, and that many of the owners of these properties were prominent businesspeople with ties to the NRM.²⁶ Even when people did not have such political connections, they were often able, as Makara notes, to appeal to Movement politicians who would sympathize with their pleas for lower taxes based on a political desire to minimize the revenue intake of the opposition-led city government.²⁷

¹⁷ Goodfellow (2012), 249

¹⁸ Calculated from *ibid*, 245 and 249.

¹⁹ Calculated from *ibid*, 245.

²⁰ *Ibid*, 241.

²¹ Lambright (2011), 30.

²² Cammack et al., 34.

²³ Lambright (2012), 15.

²⁴ "Local Governments (Rating) (Amendment) Act," 2006, Section 3.

²⁵ Goodfellow (2012), 256.

²⁶ *Ibid*, 256-257.

²⁷ Makara, 294.

Museveni also directly intervened to block the KCC from introducing new sources of revenue. This most notably took place in relation to the KCC's efforts to tax the city's thriving *boda-boda* industry. The KCC attempted to introduce a tax on *boda-bodas* for the 2002/03 financial year, levying a 5,000 UGX fee for a number plate and demanding an additional monthly payment of 10,000 UGX. The KCC estimated that this would raise 700 million UGX per year.²⁸ *Boda-boda* drivers, however, complained that the fees were exorbitant, and appealed to the President to have it overturned. On June 2, 2004, the Acting Private Secretary of the President wrote to the KCC demanding that the tax be repealed.²⁹ The KCC again tried to tax the *boda-boda* industry by introducing a 9,000 UGX monthly fee (to be divided evenly between the KCC, the city divisions and the National Federation for Boda-Boda Operators) in December 2006. This effort was similarly unsuccessful, and the President intervened to overturn the tax in June 2007 following appeals by *boda-boda* drivers.³⁰

The central government's constant interference in the KCC's financial affairs stemmed from the ruling party's desire to undermine the opposition's control of the city. In the competitive and deeply divided political landscape that existed in Kampala following decentralization and democratization, the NRM sought to demonstrate the opposition's incompetence and unsuitability to hold political power, and starving the KCC of resources was a particularly effective way of fostering chronic mismanagement that could be blamed on the opposition. Low revenue intake resulted in poor service delivery, which, as argued in Chapter Three, increased informal economic activity, further harming revenue collection in a positive feedback loop that undercut the KCC's ability to perform its basic functions and damaged its legitimacy. This dysfunction then provided the central government with a justification for the introduction of the KCCA.

The KCC's financial problems were not entirely the fault of the central government, however. Mismanagement of public assets and finances also plagued the KCC, which was accused of allocating contracts to incompetent bidders and selling assets at below market value. Following the introduction of its divestiture program in 2001, the KCC sold 475 properties in its possession, and according to *New Vision*, "flouted the rules" when doing so as "many ended up in the hands of KCC officials, their cronies and the same people who were selling them."³¹ The KCC lost as

²⁸ Ibid, 313.

²⁹ Ibid, 312-314.

³⁰ Goodfellow (2012), 225-226.

³¹ Quoted from Semakula, John, "KCC Sold Off 500 Properties," *New Vision*, 30 July 2011.

much as 28 billion UGX between 2000 and 2005, and more than 13 billion UGX due to mishandled leases, tenders and contracts in 2006/07.³² It is in this environment of financial mismanagement and constant central government interference that the privatization of Kampala's markets took place.

ii. *Privatization*

Markets always provided an important source of revenue for the KCC. In keeping with its struggles elsewhere, however, the intake of market fees fell significantly below its potential, causing the KCC to contract out market revenue collection to private companies in nine of the city's markets in the mid-1990s. These efforts proved to be a success, and increased revenue intake while reducing administrative costs.³³ In 2002, the KCC went a step further by starting to award tenders to manage markets to outside bidders, a process that continued until 2007. Precisely how the policy of privatization came to be adopted is unclear, particularly because the issue quickly became highly contentious and many sought to apportion blame for their own political purposes. The tendering process began when Ssebaana was Mayor, but intensified under his successor Sebagala, who oversaw the granting of leases after coming into office in 2006. The Minister of Local Government, Kahinda Otafiire, also played a major role in overseeing the leasing process, as did three Town Clerks, James Ssegane, William Tumwine and Ruth Kijjambu; all four figures represented the central government rather than the opposition that was elected to run the KCC, but it was Sebagala who came to be more associated with the policy than anyone else.

The KCC first needed to provide itself with the legal grounds for the privatization of Kampala's markets. The main piece of legislation that provides for the regulation of markets in Uganda is the Markets Act of 1942, which establishes that only "the administration of a district", "a municipal council" or "a town council" had the power to "establish or maintain a market".³⁴ The Local Governments Act of 1997 similarly describes the power to "[e]stablish, acquire, erect, maintain, promote, assist or control" markets "with the participation of citizens".³⁵ In keeping with the act's overarching theme of decentralization, it also devolves the administration of markets, along with the related powers of revenue collection and the administration of licences, to city

³² Musoke, Cyprian, "KCC Loses Over Sh40b in Revenue," *New Vision*, 21 October 2007.

³³ Makara, 301-304.

³⁴ "The Markets Act," 1942, Article 1, Section 1.

³⁵ "Local Governments Act," Second Schedule, Part 3, Section 1.

division councils (LC3).³⁶ In Kampala, however, such a devolution seems to have never taken place given the extent to which the KCC maintained control over market affairs. In 2006, the KCC passed the Local Governments (Kampala City Council) (Markets) Ordinance, which departed from previous national legislation by stating that individuals could establish or maintain markets with permission from the city council,³⁷ and that the KCC “may enter into a contractual agreement with a person, firm, company or organisation which intends to invest money in the establishment and maintenance of a market”.³⁸ The KCC thus surrendered its right to exclusive control of the city’s markets, allowing it to enter into agreements with private groups or individuals if and when it saw fit. Given that the Local Governments Act only invests in urban/district councils (LC5) the power to “make laws not inconsistent with the Constitution or any other law made by Parliament”, it is not clear whether or not it had the power to do so.³⁹

Market privatization nevertheless went ahead, but quickly encountered other significant problems. Major dissatisfaction amongst vendors and questions surrounding the legitimacy of deals made by the KCC with private contractors led to conflicts that not only prevented new leaseholders from managing and/or developing markets as they saw fit, but also caused a decline in the amount of revenue that the KCC was able to collect from markets.⁴⁰ Seeing an opportunity to position himself as a champion of market vendors in Kampala, a group that is usually seen as highly supportive of the opposition,⁴¹ Museveni intervened in the city’s market conflicts by using his powers to halt and in some cases reverse the privatization process in order to give vendors control over the management and development of their markets. In April 2007, the President instructed Otafiire to stop selling market leases to private investors,⁴² and in September 2007 the central government adopted the policy that all vendors who own shops or stalls in a given market should join their market association, which would then be given priority in the allocation of market

³⁶ Ibid, Second Schedule, Part Five, Section (B).

³⁷ “Local Governments (Kampala City Council) (Markets) Ordinance,” 2006, Part II, Paragraph 4.

³⁸ Ibid, Part II, Paragraph 5.

³⁹ “Local Governments Act,” Part IV, Section 38, Subsection 1. For the legal and policy framework surrounding markets in Uganda and the problems and inconsistencies that it contains, see “A Report of the Review of the Markets Act, Cap 94 in Uganda,” Uganda Law Reform Commission and Ministry of Local Government, July 2013. Other relevant pieces of legislation and policy documents are discussed below.

⁴⁰ Kato, Joshua, “Why Kampala City Council May Revert to Direct Collection of Market Dues,” *New Vision*, 11 February 2009a.

⁴¹ The President’s electoral motives were often remarked on during fieldwork. They are also referred to in Goodfellow and Titeca.

⁴² Kato (2009a).

tenders (and free, if they so choose, to enter into partnerships with external investors for financial support).⁴³ Because of his decisive intervention, this is a policy that Museveni was, and indeed still is, personally associated with.

The KCC's privatization efforts had major political repercussions. Sebaggala, the son of a Nakasero Market vendor who was elected Mayor of Kampala as the populist candidate promising to represent the interests of the urban poor, became highly unpopular amongst the market vendors who had served as one of his core constituencies in his triumphant return to office. After supporting Sebaggala in large numbers in 2006, market vendors soon came to feel that he abandoned his promises to serve the 'common man' by leasing the markets that are so crucial to a large segment of the urban poor to wealthy private investors. The Mayor became so intensely disliked by his former supporters that he was even attacked by vendors when visiting Park Yard Market in February 2009.⁴⁴ In 2010, Sebaggala joined the NRM, but was at that point so unpopular that he was heavily criticized by many figures within the party (who would deny him a ministerial post less than a year later).⁴⁵ It is likely that the sense of betrayal felt by so many of the city's market vendors contributed greatly to the DP's poor performance in the 2011 local elections and, at the same time, allowed the NRM to capitalize on widespread disaffection with the opposition's management of the city (ironically at a time when the central government, by introducing the KCCA, was disempowering local politicians). In the same vein, Lukwago's victory in the same elections was likely aided by the prominent role he played as an MP in combating the privatization of the city's markets, the success of which he regards as one of his greatest achievements as a politician.⁴⁶

Privatization did not occur in a uniform way, but rather unfolded differently in markets throughout the city as a result of specific market histories and varying alignments of competing individuals and interests. In order to understand the privatization process, therefore, it is necessary to look at it in the context of specific markets and identify both its common and unique

⁴³ Mwanje, Robert and Stella Nakakande, "The Politics and Money Behind Market Wrangles," *Daily Monitor*, 4 October 2007.

⁴⁴ Bagala, Andrew and Robert Mwanje, "Sebaggala at Half-Term; A Litany of Broken Promises," *Daily Monitor*, 3 July 2009; and Mwanje, Robert and Andrew Bagala, "Sebaggala's Tenure of Broken Promises," *Daily Monitor*, 17 March 2011.

⁴⁵ "Sebaggala, the Stranger in His New NRM Home," *The Observer*, 10 October 2010; and Nankya, Sylvia, "MPs Reject Sebaggala as Minister," *New Vision*, 2 June 2011.

⁴⁶ Interview, Erias Lukwago, 10 August 2015.

characteristics. Three of the city's largest markets capture a suitably broad range of experience to allow for such an undertaking: Owino, Kisekka and Nakawa. Each is explored here.

a) Owino Market

Management and development issues have featured prominently in the history of Owino Market.⁴⁷ After the market was established in 1971, it consisted of papyrus structures built on a dirt ground for the first two-and-a-half decades of its existence, making it particularly susceptible to rain damage. In the mid-1990s, a grant was secured from the World Bank in partnership with the KCC to redevelop the market by building new shops and stalls and expanding it from three-and-a-half to eight acres in order to accommodate more vendors in improved structures. The construction contract to lead the redevelopment process was awarded to M/S Midland Famusa Construction Company. The handling of the process, however, caused controversy, causing the Inspector General to launch an investigation in 1997 that found that M/S Midland Famusa Construction Company had been established by Godfrey Kayongo Nkajja, the chairperson of the United Market Vendors Association (UMVA), Owino's market association, and Steven Higobero, the KCC's co-ordinator of market development, and that Kayongo's daughter was registered as the company's chairperson, Higobero's son was registered as the vice-chairperson and the son of another market leader was registered as the secretary despite the fact that all three children were minors at the time.⁴⁸ Vendors also accused the UMVA of various forms of abuse and malpractice during the redevelopment process, including keeping the best shop and stall spaces, mistreating vendors who expressed dissent, stealing money that vendors paid to contribute to reconstruction and underreporting the number of vendors in the market in order to minimize the fees that it owed to the KCC.⁴⁹ Despite these problems, M/S Midland Famusa Construction Company and the UMVA continued to lead the market's redevelopment process.

When the KCC announced that it would be leasing the market in 2002, Owino Traders and Transporters Limited, the group of vendors that was at that time managing the market, submitted

⁴⁷ Unless otherwise indicated, the account presented here is constructed from information collected during fieldwork. Two interviews were particularly important: group interview, St. Balikuddembe Market Stalls, Space and Lock-Up Shops Owners Association Limited, Owino Market, 4 August 2015; and group interview, St. Balikuddembe (Owino) Market Produce, Traders and Vendors Co-Operative Society, 8 August 2015.

⁴⁸ Goodfellow (2012), 168; and Makara, 310-312.

⁴⁹ Group interview, St. Balikuddembe (Owino) Market Produce, Traders and Vendors Co-Operative Society, 8 August 2015. Some of these complaints are also mentioned in Goodfellow (2012), 168.

a bid for the tender of 76.05 million UGX per month. They were, however, unsuccessful, and the tender was instead awarded to Victoria International Trading Company, which submitted a higher bid of 126.8 million UGX per month (or lower rates for six or 12 month periods).⁵⁰ Victoria International Trading Company was owned by Hassan Basajjabalaba, a wealthy businessperson and major property owner in Kampala who also has significant political connections with senior NRM officials, including Otafiire,⁵¹ served as the chairperson of the NRM's Entrepreneur League and was a major fundraiser for the ruling party.⁵² In addition to Owino, companies owned by Basajjabalaba and managed by Haba Group, his holding company, also acquired leases for both Nakasero Market and Shauri Yako Market, and had earlier won a contract from the KCC to develop and build a shopping mall in Constitution Square.⁵³ Vendors at Owino protested Basajjabalaba's takeover of the market, the Local Government Minister, Jaberu Bidandi Ssali, unsuccessfully attempted to have the contract overturned and the Mayor tried but failed to have the tender revoked for either Owino or Nakasero, not wanting to have the two markets controlled by the same person.⁵⁴ The controversy deepened when it emerged that both Victoria International Trading Company and Sheila Investments Limited, the company that had taken over Nakasero Market, had used forged incorporation documents to support their successful bids.⁵⁵ Still, both had their contracts renewed by the Town Clerk, Ssegane, in 2006.

Vendors at Owino continued to oppose Basajjabalaba's control of the market. Kayongo, still the market chairperson, organized a new group, the St. Balikuddembe Market Stalls and Lock-Up Shops Owners Association (SLOA), which began collecting money in 2006 to purchase the tender back and demonstrate that vendors could lead the market development process themselves. SLOA appealed to the President for assistance, which they duly received when the President began to actively support the right of vendors to manage and develop their own markets, a position that, largely due to the President's initiative, was adopted as official government policy in 2007. SLOA was awarded the tender for Owino Market in 2010, paying 4 billion UGX, with 200 million UGX each year in ground rent, for a 49-year lease.

⁵⁰ Muwanga, David, "Bids for Owino Await KCC," *New Vision*, 7 October 2002.

⁵¹ Lambright (2012), 19.

⁵² "MPs Want Bassajja, Col Mugenyi, to Refund Shs156bn," *The Observer*, 29 August 2011.

⁵³ Lambright (2012), 19.

⁵⁴ Kato, Joshua, "Kampala's Controversial Tenders," *New Vision*, 25 June 2003.

⁵⁵ Ibid.

Basajjabalaba had all of his market contracts terminated, which he agreed to under the condition that he would be fully compensated by the government. The central government agreed to pay Basajjabalaba 142.6 billion UGX, a figure that had grown from 8 billion UGX throughout a lengthy negotiation process.⁵⁶ The money paid to Basajjabalaba was not taxed, and the payment itself may have been illegal because it did not have the approval of the Attorney General's office.⁵⁷ Museveni has publicly criticized the payment, but there is speculation that he approved the figure or even increased it from a previously lower amount.⁵⁸ An audit undertaken by KPMG, one of the world's largest auditing firms, at the request of the Auditor General later found that many of Basajjabalaba's compensation claims were based on invalid contracts and accompanied by supporting documents that were improper, incomplete or, in some cases, fraudulent. The auditors argued in their report that the 2002 contract that first gave Victoria International Trading Company the right to manage Owino Market, like other contracts held by Haba Group, was rendered void by the fact that it was not approved by the Attorney General and therefore violated both the Constitution and official guidelines issued by the Attorney General in 1999 (the same guidelines that the compensation payment itself violated), and also argued that the extension of Basajjabalaba's contracts for Owino and Nakasero violated the Local Governments Act because Ssegane, by his own admission, acted without the necessary approval from the KCC. The audit report concluded that rather than being eligible for financial compensation, Basajjabalaba actually owed the government 994 million UGX.⁵⁹

The privatization of Owino Market proved to be a costly endeavour. Not only did the KCC fail to collect the money that it was owed by Victoria International Trading Company, but the central government ended up spending a considerable sum of money to satisfy Basajjabalaba's poorly supported compensation demands. Considering that the logic of privatization was to boost revenues while lowering costs, the entire process was, by the most basic criteria, a significant failure. In this respect, the experience of Owino Market was not unique.

⁵⁶ "MPs Want Bassajja, Col Mugenyi, to Refund Shs156bn".

⁵⁷ Ibid.

⁵⁸ See, for example: Mugerwa, Yasiin, "Letters Link Museveni to Basajjabalaba's Cash Claim," *Daily Monitor*, 1 December 2011; and "Museveni: I've Not Changed Position on Basajjabalaba," *Daily Monitor*, 7 February 2012.

⁵⁹ "Basajjabalaba's Compensation Claims: The Inside Story (Part I)," *Daily Monitor*, 5 December 2011; and "Audit Report Shows Basajjabalaba's Company Owes KCC: The Inside Story (Part II)," *Daily Monitor*, 6 December 2011.

b) Kisekka Market

Kisekka Market underwent a similarly contentious privatization process.⁶⁰ Unlike at Owino, however, Kisekka's privatization was at least partially driven from within the market itself. In November 2006, a group of vendors belonging to the New Nakivubo Road Market Vendors Association (NNRMVA), led by chairperson Samuel Ssekibenga, applied to the KCC for permission to redevelop Kisekka Market. The application was approved by both Stanley Kinyatta, the RDC, and Otafiire, and the KCC instructed NNRMVA to identify a partner to help the association lead the development process.⁶¹ NNRMVA entered into an agreement with a company called Rhino Investments Limited that would split the 3.7 acre market into two sections: one, at 2.2 acres, would be controlled by Rhino Investments, while the other, at 1.5 acres, would be controlled by NNRMVA. Rhino Investments paid 1.5 billion UGX for the 49-year lease, and was to work with NNRMVA to construct a six-storey shopping centre. The project was approved by the KCC.⁶² The deal is notable because it took place after Museveni had declared his support for the policy that vendors should manage and develop their own markets, and concluded in the same month, September 2007, that the central government adopted the President's position as official policy, but the fact the NNRMVA claimed to represent the vendors of the market gave it a degree of apparent legitimacy. It is also notable because Rhino Investments was owned by retired army Colonel John Mugenyi, a former government official, a National Resistance Army (NRA) veteran from the civil war and a personal friend of the President, as well as a major property owner in the city.⁶³

The sale of the lease to Mugenyi was extremely unpopular with market vendors. Claiming that NNRMVA did not represent the vast majority of vendors in Kisekka, a group of vendors led by Robert Kitembo formed a new association, Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited (NROKKMVL), to rival NNRMVA and attempt to halt the planned redevelopment of the market. The popular backlash against the deal between NNRMVA and Rhino

⁶⁰ This account of Kisekka Market is primarily based on fieldwork, particularly: interview, chairperson, Nakivubo Road Old Kampala (Kisekka) Market Vendors Ltd., 20 August 2015; interview, rival 'chairperson' within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited, 25 July 2015; group interview, rival group within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited, 20 August 2015; and group interview, rival group within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited, 21 August 2015.

⁶¹ A brief history of NNRMVA's partnership with Rhino Investments is provided in Kato, Joshua and Florence Nakaayi, "Confusion Among Leaders Worsens Market Wrangles," *New Vision*, 16 September 2007.

⁶² Mwanje and Nakakande.

⁶³ Ibid.

Investments followed from major divisions that existed within the market: whereas NNRMVA claimed to represent most of the 680 people in Kisekka who owned market stalls, NROKKMVL drew its support from the vast majority of market vendors who were not owners but rather worked as employees or labourers.⁶⁴ The leaders of NROKKMVL first tried to plead their case to government officials, but after going to “every relevant office”, were unable to secure any support.⁶⁵ Mugenyi, they found, had “a lot of influence”, so they would always “find his hand” influencing decisions, while anyone who tried to help them “would face threats”.⁶⁶ The fact that NROKKMVL drew most of its support from vendors who were not shop owners also acted as a hindrance, raising questions about who has the right to represent the vendors of a market as well who has the right to even be represented in decisions concerning management and development; Sebagala, for example, stated publicly that the KCC only recognized NNRMVA since it wanted to deal with “land lords and not vendors or hawkers”, and that it had “no time to waste with idle characters at Kisekka Market.”⁶⁷

Unable to exercise any influence through political appeals, NROKKMVL instead turned to “the voice that [politicians] could hear”: protests.⁶⁸ According to the chairperson of NROKKMVL, market vendors began clashing with the police “almost every day”, and would cause “chaos” when representatives of NNRMVA or Rhino Investments were at the market, “challenging them from morning to sunset.”⁶⁹ Large protests broke out on a number of occasions, including, most notably: in September 2007, leading up to the announcement that the market would be leased to NNRMVA and Rhino Investments;⁷⁰ twice in February 2008, with the second coming after Lukwago leaked a Parliamentary report that argued that the President should not have the authority to make decisions surrounding market development;⁷¹ in June 2009 as the KCC continued to refuse to give NROKKMVL the lease to the market;⁷² and in September 2011 as the

⁶⁴ “KCC vs. Kisekka Market Vendors: What Caused the Conflict?” *New Vision*, 3 September 2010.

⁶⁵ Interview, chairperson, Nakivubo Road Old Kampala (Kisekka) Market Vendors Ltd., 20 August 2015.

⁶⁶ Ibid.

⁶⁷ Quoted in Mwanje, Robert, “Market Riots: Kayihura Turns to Gen. Museveni,” *Daily Monitor*, 28 September 2007.

⁶⁸ Interview, chairperson, Nakivubo Road Old Kampala (Kisekka) Market Vendors Ltd., 20 August 2015.

⁶⁹ Ibid.

⁷⁰ Kato and Nakaayi.

⁷¹ Mwanje, Robert and Andrew Bagala, “Four Shot in Fresh City Market Riots,” *Daily Monitor*, 13 February 2008; and Mwanje, Robert and Risdal Kasasira, “Market Vendors Strike Over Leaked Report,” *Daily Monitor*, 26 February 2008.

⁷² “Kisekka Market Traders Riot Over Land Title,” *Daily Monitor*, 17 June 2009.

KCCA also refused to surrender the lease.⁷³ These protests regularly drew a harsh response from the police, with repression usually taking the form of arrests, the use of teargas or violence. Still, NROKKMVL's efforts, the group's chairperson believes, succeeded in drawing attention to and support for the vendors' cause, and ultimately inspired "[a]lmost the whole country" to question why politicians were ignoring vendors "who are 10,000 in the interests of one person"—that is, Colonel Mugenyi.⁷⁴

Not everyone who became aware of NROKKMVL sympathized with its cause, however. In fact, the association and its actions attracted a significant amount of negative attention, much of which is particularly revealing of broader perceptions of both Kisekka Market and market vendors as a whole.⁷⁵ The poorer vendors that NROKKMVL primarily represented were not only seen as unable to participate in market management and development due to their low socioeconomic status, but were also often associated with criminality.⁷⁶ Kisekka Market specializes in used vehicle parts and, to a lesser extent, other mechanical goods, and there is a widely held perception that much of what is sold at the market has been stolen. The association of criminality with informality is common in popular perception and not at all unique to Kampala; indeed, even scholarly and policy discussions are often guilty of failing to distinguish between economic activity that is illegal and that which is merely informal.⁷⁷ Such a view greatly contributes to the marginalization and repression that informal vendors face, delegitimizing their efforts to participate in urban development while legitimizing the coercive use of state power. NROKKMVL's use of protests as a central tactic in the pursuit of its goals only furthered negative perceptions of the market and its vendors while also reinforcing the association of informal vending with urban chaos and disorder. The desire to eradicate such disorder underlies many of the development plans that are imposed on informal vendors in Kampala.

NROKKMVL eventually succeeded in securing the President's support. In a letter to Major General Kale Kayihura, the Inspector General of Police, in February 2008, Museveni insisted that the policy that market vendors have the right to lease their own markets must be implemented in

⁷³ Bwambale, Taddeo, "Kisekka Traders Demand Land Title," *New Vision*, 7 September 2011.

⁷⁴ Interview, chairperson, Nakivubo Road Old Kampala (Kisekka) Market Vendors Ltd., 20 August 2015.

⁷⁵ The views addressed here were commonly expressed during fieldwork and regularly feature in media coverage of the market.

⁷⁶ See, for example, Wanambwa, Richard and Robert Muwanje, "Otafiire Sets New Conditions for Kisekka Market Re-Development," *Daily Monitor*, 28 September 2007.

⁷⁷ See the definition of informal economic activity provided in Chapter One.

Kisekka. While the policy document read by Kayihura referred to “sitting tenants who own stalls”, the decision was interpreted as a rejection of NNRMVA’s deal with Rhino Investments.⁷⁸ The President’s order was not immediately implemented, but his intervention ultimately proved to be decisive.⁷⁹ Sebaggala informed Kisekka that NROKKMVL officially had control of Kisekka in April 2009,⁸⁰ and Kijjambu wrote to NROKKMVL to award the association the lease for the market in January 2010.⁸¹ It was not until December 2011 that NROKKMVL was given the title to the market by the KCCA, for which it paid 1.5 billion UGX and promised to pay 500 million UGX in annual ground rent. The lease was awarded for five years, and was to be renewed for 49 years on the condition that NROKKMVL undertake the redevelopment of the market. Like Basajjabalaba, Mugenyi agreed to have his market lease terminated in exchange for compensation, and ultimately received 14.9 billion UGX that was also not taxed and paid in violation of the Constitution.⁸²

c) Nakawa Market

Nakawa Market has had a rather different history of privatization.⁸³ Unlike at Owino and Kisekka, the lease for Nakawa Market was not sold to a wealthy businessperson during the KCC’s market privatization process. Instead, the KCC’s decisions regarding the allocation of the market’s tender exacerbated divisions within the market both before and during its privatization efforts. The nature of these internal divisions prevented groups of vendors from appealing to the President for support, and meant that the presidential directive that markets should be managed by vendors had virtually no impact on Nakawa Market.

Vendors’ organizations first emerged in Nakawa Market in the early 1980s, and grew significantly after the end of the civil war. The first of these groups was Nakawa Market Vendors Association Limited (NMVAL), which was founded in 1982 and elected a ten-person committee and an official chairperson, Francis Mwesigye, in 1988. NMVAL quickly came to serve as the *de*

⁷⁸ Bagala, Andrew and Robert Mwanje, “President Museveni Backs Kisekka Market Vendors,” *Daily Monitor*, 15 February 2008.

⁷⁹ Interviews revealed that vendors widely attribute their success to Museveni’s intervention.

⁸⁰ Walaga, Patricia and Robert Mwanje, “Vendors Take Control of Kisekka Market,” *Daily Monitor*, 16 April 2009.

⁸¹ Kato, Joshua, “What Next After Vendors Gain Control of Kisekka Market?” *New Vision*, 24 February 2010.

⁸² “MPs Want Bassajja, Col Mugenyi, to Refund Shs156bn”.

⁸³ This account is based on fieldwork, particularly: group interview, Nakawa Market Vendors Association Limited, 14 August 2015; interview, chairperson, Nakawa Market Traders’ Development Association, 29 July 2015; and interview, member of Nakawa Market Traders’ Development Association, 29 July 2015.

facto leadership organization in the market, providing essential services and representing the market's vendors in interactions with the KCC. Membership in NMVAL was free to all vendors in Nakawa Market. The second group that emerged during this time was a co-operative society known as Nakawa Market Co-operative Savings and Credit Society Limited (NMCSCSL). As a co-operative society, the main purpose of NMCSCSL was to look after vendors' savings and provide affordable loans. These services, however, were only available to the co-operative society's members, and to join, vendors were required to pay a membership fee of 10,000 UGX and purchase five shares in the co-op at a total of 50,000 UGX.⁸⁴

The leaders of NMVAL applied to the KCC for the market tender to officially run the market in 1995. They were informed, however, that since the association was not officially registered, the co-operative society was in a much better position to win the tender. A meeting was then held in the market, at which vendors decided to apply for the tender through the co-operative society. NMCSCSL won the tender to manage Nakawa Market in 1999. As a result, it took over the provision of services in the market from NMVAL, as well as the association's role in representing the market's vendors in relations with the KCC. Since NMCSCSL was a co-operative society rather than, like NMVAL, a vendors' association, it was mainly tasked with serving the interests of its members, and since joining the co-op entailed costs that not all vendors could afford, many people in the market were excluded from the benefits that came with NMCSCSL's management. Vendors also complained that the fees charged by NMCSCSL for stalls in the market were too high, and that the channels for influencing decision-making could be improved.⁸⁵

Before the tender for Nakawa Market was awarded to NMCSCSL, NMVAL had attempted carry out a project to redevelop the market. To lead the redevelopment process, the association set up a new group, Nakawa Market Development Steering Committee (NMDSC), led by Mwesigye and made up of 21 representatives from all of the zones in the market. The committee accepted a proposal from a firm called Alcon International, and in doing so rejected one from a company owned by Steven Higobero, the co-ordinator of market development at the KCC who had partnered with Godfrey Kayongo to carry out the redevelopment of Owino. According to the leaders of NMVAL, Higobero then began supporting NMCSCSL's right to lead the redevelopment of the market, a position that came to be accepted by the KCC. NMDSC was disbanded, and a new

⁸⁴ Lindell and Appelblad, 401.

⁸⁵ This description of NMCSCSL is based on *ibid*.

development committee comprised of co-op members was appointed by the Town Clerk.⁸⁶ Now in charge of the market's redevelopment, NMCSCSL hired a new construction company, Arab Contractors, to begin work in February 1998. The project was to last two years and cost 4 billion UGX.⁸⁷ Problems soon mounted, however, as development stalled and over 400 vendors did not receive the shops and stalls that they paid for.⁸⁸ Arab Contractors claimed that it had not been fully paid by NMCSCSL, and later filed a lawsuit against the co-op seeking 1.5 billion UGX in damages; in response, NMCSCSL claimed that the construction contract was invalid because it had been signed by the development committee, which lacked the legal authority to enter into such agreements.⁸⁹ Vendors complained to the KCC of NMCSCSL's mishandling of the market's redevelopment, and the co-op's tender was eventually terminated in 2007.⁹⁰

After NMCSCSL lost its right to manage Nakawa Market, the leaders of NMVAL claim that the association entered into an agreement to acquire the tender for the market in April 2008. The KCC, however, apparently reneged on this deal, and instead brought its "own people to manage and control the market" under the name Nakawa Market Vendors Association (NMVA).⁹¹ NMVA, the leaders of NMVAL claim, did not truly represent the market's vendors, but consisted of people who had been installed "for political reasons".⁹² In the words of a later leader of the market (and opponent of NMVAL), Sebagala "threw away these people who were managing the market" without thinking of "how the market started" or "where it came from", and instead "gave it to his supporters" who were "only after collecting the money, only interested in themselves."⁹³ "That's when the problems started arriving in the market."⁹⁴

The respective leaders of NMVAL and NMVA each claimed that their association was the sole legitimate authority in Nakawa Market. The uncertainty surrounding the validity of these claims prevented either side from attracting the support of the President. In both Owino in Kisekka, it was obvious what group had the support of and therefore 'spoke' for the vast majority of market vendors; in Nakawa, this was not the case, giving Museveni, who intervened in market conflicts

⁸⁶ Group interview, Nakawa Market Vendors Association Limited, 14 August 2015.

⁸⁷ Abdallah, Halima, "Nakawa Market in Shs 1.5bn Court Row," *Daily Monitor*, 6 August 2007.

⁸⁸ Group interview, Nakawa Market Vendors Association Limited, 14 August 2015.

⁸⁹ Abdallah.

⁹⁰ Group interview, Nakawa Market Vendors Association Limited, 14 August 2015.

⁹¹ Ibid.

⁹² Ibid.

⁹³ Interview, chairperson, Nakawa Market Traders' Development Association, 29 July 2015.

⁹⁴ Ibid.

to support popular positions as a means of presenting himself as a champion of the interests of market vendors, no clear incentive to involve himself in the market's affairs. The fact that both NMVAL and NMVA claimed to represent the vendors of Nakawa Market also meant that Museveni's ruling that markets should be run by vendors had no impact on the ongoing conflicts at the market. While privatization was being overturned in Owino and Kisekka, therefore, Nakawa was at an impasse with two groups locked in continuous conflict and neither willing to surrender its claims. It was an impasse that the KCC, given the impact that its decisions surrounding the allocation of the market's tender had on the internal politics of Nakawa, played a major role in bringing about, and the President had little reason to resolve.

iii. The Agency of Market Vendors During Privatization

Questions of political power defined Kampala's market privatization process. Privatization itself was the result of continuous efforts by the central government to undermine the opposition-led KCC by starving it of the resources it needed to properly function, and privatization was successfully contested by vendors who were able to take advantage of the divisions that existed between the central government and the KCC to appeal to the President for support. Museveni, seeking to increase his own personal popularity at the expense of the opposition, acceded to these appeals in order to portray himself as the champion of market vendors in the city, a position that was formerly held by Sebaggala, the once popular opposition mayor.⁹⁵ The entire market privatization process can therefore be seen to have unfolded in a way that strengthened the power of the President. Vendors were able to exercise agency by taking advantage of the President's efforts to expand his power, but this was only necessary because Museveni's previous efforts to expand his power created the conditions that led to privatization in the first place.

Vendors' agency became manifest in different ways in different markets throughout the privatization process. In Owino, the previous leaders of the market formed a new group, SLOA, that was able to gain the support of the President and acquire the market's lease from Basajjabalaba. In Kisekka, a group of vendors who were unhappy with NNRMVA's deal with Rhino Investments and felt that they were being excluded from a redevelopment project that was being implemented by and for stall owners formed NROKKMVL, and after extensive protests, was able to gain control of the market. With the backing of Museveni, both SLOA and

⁹⁵ Also see Goodfellow and Titeca.

NROKKMVL were able to challenge privatization and demand inclusion in urban development on their own terms. The experiences of Nakawa Market, in contrast, demonstrate that not all vendors could count on Presidential support for their claims. Even after the unpopular NMCSCSL lost its tender to manage Nakawa, the lack of clarity surrounding who could legitimately claim to represent the market's vendors precluded presidential intervention. This is due to the fact that Nakawa is distinct from Owino and Kisekka in one obvious respect: the market was never sold to an outside investor, therefore meaning that there was no obvious cause that vendors could rally behind in order to gain the support of the President. Instead, Nakawa remained divided. The agency that vendors at Owino and Kisekka enjoyed came from the very fact that their markets were privatized and acquired by wealthy businesspeople with ties to the NRM; this, of course, was the result of the central government's attempts to undermine the KCC, meaning agency existed for vendors to gain the support of the President to resolve an issue that the President, in effect, caused.

The ability of market vendors to oppose privatization was therefore dependent on the particular political environment in which privatization occurred. When these political circumstances changed due to efforts by the Museveni and the NRM to further expand their power, the agency of market vendors duly contracted. The remainder of this chapter explores how this has taken place.

Part II: Conflicts Surrounding Market Ownership and Development

The end of privatization did not signal an end to conflicts surrounding market ownership and development. While the intervention of the President has empowered vendors by allowing them to manage and develop their own markets, it has also promoted conflicts about who has the authority to represent vendors and what forms development should take. The privatization of markets in Kampala allowed vendors to rally behind a common cause that had, within markets, almost universal support; when vendors succeeded in overturning privatization, they lost their primary source of unity and rapidly became divided due to disagreements about what, precisely, management and development conducted by and in the interests of vendors entails. These conflicts have surrounded, and tend to exacerbate, the significant divisions that exist within markets.

The transformation of markets into 'modern' shopping centres has become a major feature of urban development in Kampala. The central government has adopted ambitious plans to lead market development in the city and indeed across the country, and has received international

support for its efforts. The KCCA has been similarly active since its introduction in March 2011, but breaking from the policy that vendors should manage and develop their own markets, it has sought to assume direct control of Kampala's markets as a means of improving revenue collection and realizing its developmental ambitions for the city. The political divisions that have emerged between the President and the KCCA have exacerbated the conflicts that are taking place within markets by allowing some groups of vendors to seek political support to advance their claims. The President and the KCCA, in turn, use the political support that vendors provide to solidify their own positions in the city's markets.

The conflicts that have taken place in Kampala's markets since the end of privatization have been defined by the expansion of political control by the President and the ruling party and the contraction of the agency of market vendors. The introduction of the policy that vendors should own and develop their own markets has reawakened and worsened divisions between market vendors, and both the President and the KCCA have been able to take advantage of these divisions and conflicts for their own purposes; for Museveni, they provide the opportunity to increase his own popularity amongst market vendors, and for the KCCA, they provide the opportunity to improve revenue collection while pursuing urban development goals. More generally, vendors' associations commonly face co-option, neglect and repression, reflect ingrained market hierarchies, fail to represent the interests of their members and struggle to implement market management and development plans, significantly limiting their utility as vehicles for vendors' agency. Market vendors have therefore seen their agency contract, but not disappear entirely, since some groups of vendors have been able to pursue their own management and development claims with the support of either the President or the KCCA, and elections offer periods political competition that vendors can take advantage of to make small gains. Still, the conflicts that have come to characterize markets in Kampala have, for most vendors, led to further marginalization.

i. Market Development in Kampala

Issues of development have long been central to the politics of markets in Kampala. Vendors' groups such as UMVA at Owino and both NMVAL and NMCSCSL at Nakawa began to implement their own market redevelopment projects in the mid- to late-1990s, but these experienced mixed success, often due to poor, sometimes duplicitous management or problems with affordability. In 2004, the KCC affirmed its desire to transform markets into modern shopping

centres in its Kampala City Strategic Plan.⁹⁶ These developmental ambitions played a role in the KCC's privatization of the city's markets, with major contractors such as Victoria International and Rhino Investments tasked with leading the redevelopment of the markets that they acquired. The vendors who successfully resisted the privatization of the city's markets sought to not only manage their own markets, but also oversee their own development projects. Museveni's intervention on their behalf gave them the opportunity to do so.

The President's support for the right of vendors to manage and develop their own markets was not the only step taken by the central government to play a more active role in market development. In 2007, the World Bank approved a 33.6 million USD loan to the government of Uganda to fund the Kampala Institutional and Infrastructure Development Project (KIIDP), a project aimed at improving aspects of infrastructure and service delivery in the city that have "not kept pace with its economic and demographic growth and have deteriorated over time."⁹⁷ KIIDP initially included plans to redevelop Kibuli and Kawempe markets, but these were abandoned due to growing construction costs, a lack of land availability and the initiation of a new market development project led by the African Development Bank (AfDB).⁹⁸ In 2009, the central government agreed to a loan of 57 million USD from the African Development Fund (ADF), part of the AfDB Group, for a project known as Uganda Markets and Agricultural Trade Improvement Programme – 1 (MATIP-1) that was to address Uganda's "poorly managed, dilapidated, overcrowded and overwhelmed market infrastructure" by assisting in the redevelopment of seven markets in urban areas around the country.⁹⁹ More ambitious plans for MATIP-1 to cover 21 markets, including six in Kampala—Busega, Kansanga, Kasubi, Nakulabye, Ntinda and Wandegaya—as part of long-term ambitions to redevelop 85 markets across the country were announced by the government in June 2010,¹⁰⁰ and a loan of 10 million USD was obtained from the Arab Bank for Economic Development in Africa (BADEA) to support the redevelopment of

⁹⁶ Ssenkibirwa, Al-Mahdi, "Lukwago Cries as Traders Get Market Title," *Daily Monitor*, 5 December 2011.

⁹⁷ Quoted from "Implementation Completion and Results Report (IDA-43670) on a Credit in the Amount of SDR 22.0 Million (US\$ 33.6 Million Equivalent) to the Republic of Uganda for a Kampala Institutional and Infrastructure Development Adaptable Program Loan (APL) Project," The World Bank, June 2014, 1.

⁹⁸ *Ibid*, 8.

⁹⁹ Quoted from "The Environmental and Social Development Plan: Summary: Markets and Agriculture Trade Improvement Project (MATIP-2)," African Development Bank Group, March 2014, 1-2. MATIP-1 is explored in detail in "Markets and Agricultural Trade Improvement Project I (MATIP-I) ADB Loan No.2100150019294: Financial Statements for the Year Ended 30th June 2014 Together with the Report and Opinion Thereon by the Auditor General," Office of the Auditor General, Ministry of Local Government, 2014.

¹⁰⁰ Businge, Conan and Polly Kamukama, "Govt to Construct 85 Markets," *New Vision*, 25 June 2010.

Busega, Kansanga, Kasubi and two other markets outside of the city (Kimaka in Jinja District and Nyendo in Masaka District).¹⁰¹ Uncertainties surrounding land ownership prevented redevelopment at Kansanga, Kasubi and Kimaka, while Busega and Nyendo experienced years of delays.¹⁰² MATIP-1 was eventually scaled back to again cover seven markets. Wandegeya Market was the only market redeveloped in Kampala under MATIP-1, with a new four-storey concrete shopping centre opening in January 2014.

The central government secured a loan from AfDB to redevelop another 14 markets across the country under a second project, MATIP-2, in December 2014. The plan originally involved redeveloping Nakulabye and Ntinda in Kampala, but both were absent from the final list of 11 markets when the 84.2 million USD loan was announced in April 2016.¹⁰³ The ADF estimated that the 14-market plan would have directly benefited about 20,000 vendors and had indirect benefits for 4.5 million people.¹⁰⁴ The potential benefits outlined by the ADF illustrate the breadth of reasons that are commonly used to justify market development. They can be divided into four categories:¹⁰⁵

1. *Aesthetic and Functional Benefits*: including a reduction in overcrowding; an “[i]mproved trading environment” due to “well and nicely constructed trading structures”;¹⁰⁶ better market and community aesthetics due to environmental gains; improved security due to lighting and the enclosed nature of new structures; a reduced risk of fires due to better cooking facilities; a reduced risk of “contamination” due to the separation of goods;¹⁰⁷ improved water supply and a reduced risk of water contamination; and improved sanitary systems.
2. *Socioeconomic Benefits*: including increased employment opportunities in surrounding communities; higher incomes; improved “national cohesion and integration” due to the interactions involved in the functioning of a market;¹⁰⁸ improved regional trade and

¹⁰¹ “Markets and Agricultural Trade Improvement Project I”, 3-4.

¹⁰² Ibid.

¹⁰³ Odeng, Michael, “Gov’t to Spend sh316b on 11 Markets,” *New Vision*, 2 April 2016.

¹⁰⁴ “The Environmental and Social Development Plan”, 2.

¹⁰⁵ This list is based on *ibid*, 4.

¹⁰⁶ Quoted in *ibid*.

¹⁰⁷ Quoted in *ibid*.

¹⁰⁸ Quoted in *ibid*.

- integration; and, in rural communities, reduced poverty due to improved access to markets for agricultural goods.
3. *Environmental Benefits*: including improved drainage and waste management; reduced greenhouse gas emissions due to better waste management; and reduced pollution due to improved cooking systems.
 4. *Health Benefits*: including reduced disease transmission due to better ventilation and reduced congestion.

The report also outlines negative effects of redevelopment, most notably the potential disruptions and loss of business that will result from the relocation of vendors during reconstruction.¹⁰⁹ Other potential negative consequences, however, are not mentioned. The experiences of Wandegeya Market since its redevelopment under MATIP-1 provide a glimpse into what some of these might be. When Wandegeya was reopened in 2014, many vendors refused to return to the market, where the cost of rent had risen to 40,000-250,000 UGX per month.¹¹⁰ Even vendors who did return to the market have struggled to attract customers due to the higher prices that they are forced to charge in order to afford their rental fees. As of October 2015, less than two years after the opening of its new structure that is able to accommodate 1,100 vendors, Wandegeya was only 70% full.¹¹¹ The national co-ordinator of MATIP has argued that in the markets redeveloped under MATIP-1, vendors' incomes have grown by 14%, trading of agricultural goods has increased by 21% and, in urban areas, revenue collection has risen by 33%.¹¹² In Wandegeya, at least, at least some of any rise in average income can be contributed to the absence of poorer vendors who cannot afford space in the new market. In the words of one respondent, the redevelopment of Wandegeya Market embodies a form of "governance without government" in which decisions are made by officials who neither represent the interests of nor respond to input from the vendors who are primarily affected by development.¹¹³ Wandegeya, according to another respondent, "was built like they were building a hotel" rather than a space for poor vendors to conduct trade in, reflecting the notion that practical functionality was sacrificed in favour of

¹⁰⁹ Ibid, 3-4.

¹¹⁰ Bwambale, Taddeo, "Wandegeya Market Opens on Jan 24," *New Vision*, 16 January 2014.

¹¹¹ Mulondo, Lawrence, "Anxiety as Traders Abandons Wandegeya Market [sic]," *New Vision*, 29 October 2015. This description is also based on observations at Wandegeya.

¹¹² Muhumuza, Mark Keith, "Government to Get Shs283b Loan for New Markets," *Daily Monitor*, 6 April 2016.

¹¹³ Interview, leader of Platform for Vendors Uganda, 6 March 2015.

idealized understandings of how a ‘modern’ market should look and how it should operate.¹¹⁴ At the time of writing, the implementation of MATIP-2 is set to begin in the immediate future.

The support that the central government has received for its market development ambitions highlights the crucial role that international donors play in the country’s political economy. Throughout its time in power, a key pillar of the NRM’s legitimacy both domestically and internationally has been its apparent ability to lead economic development. For foreign donors, the ruling party’s implementation of extensive economic liberalization reforms inspired a desire to cast the country as ‘success story’ of structural adjustment in Africa, a fact that, along with its support for American and European foreign policy objectives, has caused donors to neglect concerns about governance.¹¹⁵ Donors have since played a major role in solidifying the position of the NRM, providing it with significant financial backing.¹¹⁶ By funding the central government’s market development plans, they further strengthen its legitimacy.

Market vendors and associations are always conscious of and forced to respond to the pressures of development. Like street vendors, market vendors struggle to insert themselves into urban development in a rapidly growing city that is transforming in a way that threatens to exclude the urban poor for their apparent failure to meet the aesthetic, organizational and economic standards of modernity. In the words of one leader at Owino Market: “The city is changing so fast, at some point we were told ‘you are not supposed to be in the city centre’.”¹¹⁷ The transformation of the city’s markets into well ordered, well designed shopping centres presents an opportunity for vendors to participate in urban development, but as the redevelopment of Wandegaya Market suggests, this opportunity potentially comes at a cost. The constant negotiation of the opportunities and costs that development entails has led to major conflicts within markets in Kampala.

ii. *The Introduction of the KCCA*

The introduction of the KCCA in 2011 transformed the political landscape of Kampala. Intent on avoiding the revenue problems that affected the KCC, the KCCA has made improved local revenue performance a top priority. The KCCA’s current Strategic Plan, which covers the

¹¹⁴ Interview, chairperson, Nakawa Market Traders’ Development Association, 29 July 2015.

¹¹⁵ Hauser, Ellen, “Ugandan Relations with Western Donors in the 1990s: What Impact on Democratisation?” *The Journal of Modern African Studies* 37 (4) 1999: 621-641.

¹¹⁶ Khisa; and Tangri and Mwenda.

¹¹⁷ Group interview, St. Balikuddembe Market Stalls, Space and Lock-Up Shops Owners Association Limited, Owino Market, 4 August 2015.

period of 2014/2015 to 2018/2019, lists “[enhancing] the growth in local revenue mobilized” as a primary objective in achieving “Operational Excellence” while acknowledging that the local government’s developmental ambitions “will not be achieved without significant investment” in “revenue enhancement measures” and the “introduction of new alternative financing measures”.¹¹⁸ The KCCA’s efforts to improve revenue collection have been extremely successful, as illustrated by the dramatic growth of local revenue in Kampala since the 2010/2011 fiscal year (the final year of the KCC):

Figure 7: Revenue Growth Under the KCCA¹¹⁹

Revenue Source	Total Intake in 2010/2011 Fiscal Year (Billions of UGX)	Total Intake in 2014/2015 Fiscal Year (Billions of UGX)	Total Growth
Property Tax	7.78	17.64	126.74%
Trading Licences	3.82	13.9	263.87%
Local Hotel Tax	0.85	1.9	123.53%
Local Service Tax	3.33	9.78	193.69%
Ground Rent	3.5	6.2	77.14%
Taxi Fees	5.1	17.51	243.33%
Market Fees	0.75	1.88	150.66%
Land Fees	0.76	4.75	525%
Building Plan Fees	1.73	2.23	28.9%
Other	2.81	6.59	134.51%

¹¹⁸ Quoted from “Strategic Plan 2014/15-2018/19”, 14 and 87.

¹¹⁹ Adapted from email interview, KCCA spokesperson, 12 February 2016.

Total	30.37	80.35	164.57%
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A 164.57% increase in revenue collection between 2010/2011 and 2014/2015 represents a major departure from the years of low growth and chronic underperformance under the KCC. While the importance of the KCCA's concerted efforts to improve revenue collection should not be diminished, it is also worth noting that revenue growth has been aided by the fact that the clear political incentive that the central government had to undermine the opposition-led KCC no longer exists with the centrally controlled KCCA; in fact, the central government now has an obvious incentive to ensure that the local government in Kampala is both well funded and effectively run in order to contrast the performance of the ruling party with that of the opposition. This does not mean, however, that the relationship between the KCCA and the central government has been free from political conflict.

Markets have played an important role in the KCCA's improved revenue performance. Money from Kampala's markets mainly comes to the KCCA in three forms: market dues, ground rent and the trading licenses that vendors are supposed to purchase. Market dues brought in 1.88 billion UGX for the KCCA in 2014/2015, a 150.66% increase from the final year of the KCC. As major leaseholders in the city, market vendors also contribute to a significant share of the ground rent that the KCCA collects; for example, the combined 700 million UGX that vendors at Owino and Kisekka pay each year alone makes up 11.29% of the value of the total ground rent collected in 2014/15. Similarly, the market vendors who purchase trading licenses contribute to what is the third largest source of revenue for the KCCA. Markets, of course, are primary sites of informal economic activity in the city, and many vendors do not purchase trading licenses, therefore meaning that there is a significant gap between the actual and potential amount of revenue that the KCCA collects from markets. The KCCA is committed to closing this gap by bringing markets and their vendors within the city's regulatory and tax structure. The focus on markets as an important revenue source, however, has drawn criticism. Lukwago, for example, argues that the KCCA is wrongly prioritizing revenue collection over markets' other important functions: "They put on lenses of revenue. That is the problem we're facing. With every problem it is about how to

generate revenue. It is not about service delivery, it is not about helping people. It is about revenue. It is very unfortunate.”¹²⁰

The KCCA not only wishes to improve revenue collection in markets, however, but also wishes to take over the city’s markets and manage them directly. It has a strong legal basis for its claims. Echoing the Local Governments Act, the KCCA Act reaffirms that the city government has the power to “[e]stablish, acquire, erect, maintain, promote, assist or control” markets “with the participation of the citizens”,¹²¹ and devolves the administration of markets to the city division level (LC3).¹²² According to the KCCA’s spokesperson, the KCCA Act “mandates us to develop and manage all the markets in the city”, even if “some markets like Kisekka and Owino were leased to private individuals and associations” due to “political inconveniences that were left by our predecessors – Kampala City Council”.¹²³ The KCCA is currently seeking to resolve the “impasse” surrounding market ownership “using legal means.”¹²⁴

The KCCA’s desire to manage and develop markets is in keeping with its broader urban development plans for the city. Markets, in their current form, do not meet the standards of aesthetic and economic modernity that the KCCA has set for Kampala, so the reconstruction of markets as concrete shopping centres is seen as part of a broader “bid to transform the City”.¹²⁵ A Physical Development Plan commissioned by the KCCA describes how the presence of markets in the city centre “physically degrades the CBD [Central Business District], disrupts its functioning and compounds its traffic problems, all detracting from the amenity of the resident client.”¹²⁶ It also claims that markets “constitute serious health and fire hazards” and are “totally inefficient, resulting in unnecessarily high cumulative mark-ups, despite the fierce competition, inflating food costs, whilst still only providing the individual worker, trader and agricultural producer with subsistence level income.”¹²⁷ Developing the city’s markets will not only address some of these problems, but will also contribute to the ‘trade order’ that the KCCA aspires to achieve in the city by creating space for evicted street vendors. Part of the KCCA’s current Strategic Plan involves the redevelopment of 11 markets in the city, including both Nakawa and Usafi, into “modern and

¹²⁰ Interview, Erias Lukwago, 10 August 2015.

¹²¹ “The Kampala Capital City Act,” Third Schedule, Part A, Section 1.

¹²² *Ibid*, Third Schedule, Part B, Section 11.

¹²³ Email interview, KCCA spokesperson, 11 November 2015. This quote contains minor spelling corrections.

¹²⁴ *Ibid*.

¹²⁵ Quoted from email interview, KCCA spokesperson, 12 February 2016.

¹²⁶ Quoted from “Kampala Physical Development Plan”, 86.

¹²⁷ *Ibid*, 86-87.

multi-purpose business centre facilities”¹²⁸ with the purpose of “[creating] organized work places, setting minimum market standards in the City, [and promoting] trade order and formality of business in the City.”¹²⁹ Wandegeya Market is held as a model of what the KCCA aspires to achieve. The project is estimated to cost 38.5 million USD between 2014 and 2018.¹³⁰ At the time of writing, only one of these markets, Busega, has undergone any reconstruction.

The KCCA does not aim to develop all markets in Kampala, however, but only those that have been gazetted and thus officially designated as trading areas. It plans to remove all ungazetted markets from the city centre.¹³¹ This policy also follows from the KCCA’s urban management and development ambitions, reflecting a desire to control how and by whom particular city spaces can be used and to limit where informal vending can take place. Park Yard, as the only major ungazetted market in the city centre, has become the focal point of this policy. The KCCA has declared Park Yard to be illegal,¹³² and Musisi has asked Parliament to support plans to relocate the market in order to “restore trade order and development control” in the city centre.¹³³ Museveni has ordered the KCCA to gazette the market, an instruction that the KCCA has failed to heed.¹³⁴ On February 7, 2017, Kamya issued a directive ordering vendors at Park Yard to leave the market within 30 days in order to allow for the redevelopment of Nakivubo Stadium, and early in the morning of February 27, KCCA and police officers demolished the market, displacing its vendors and destroying their stalls and merchandise.¹³⁵ Kamya apparently ordered the demolition after learning that later that day a group of vendors would secure a court order against their relocation.¹³⁶ Efforts led by Lukwago to prevent the demolition failed.¹³⁷

Like its efforts to eradicate street vending, the KCCA’s market development plans have major class dimensions. Informal vending represents a key livelihood strategy for a significant portion of the urban poor who otherwise have few opportunities to participate in economic life in

¹²⁸ Quoted from email interview, KCCA spokesperson, 12 February 2016.

¹²⁹ Quoted from Kampala Capital City Authority, 34.

¹³⁰ Ibid, xvi.

¹³¹ Walusimbi, Deo, “Musisi to Move Markets, Repair Old Taxi Park,” *The Observer*, 11 April 2014.

¹³² Mukisa, Farahani and Al-Mahdi Ssenkibirwa, “Park Yard Market is Illegal, Says KCCA,” *Daily Monitor*, 9 January 2014.

¹³³ Quoted in Walusimbi.

¹³⁴ Mukisa and Ssenkibirwa.

¹³⁵ Atim, Judith and Ali Mivule, “Lukwago Calls Crisis Meeting As Police Demolish Park Yard Market,” *Daily Monitor*, 27 February 2017; and Imaka, Isaac, “Minister Kamya Asks for Parliament “Handshake” for Park Yard Eviction,” *Daily Monitor*, 2 March 2017.

¹³⁶ Imaka (2017).

¹³⁷ Atim and Mivule.

the city. What informal vendors desire is to be able to engage in their activities under favourable conditions and free from state repression, a desire that fundamentally surrounds access to space—whether on the streets or in markets—in the city centre. Members of Kampala’s expanding middle and upper classes, in contrast, desire a city that is aesthetically pleasing, decongested and well ordered, and where economic activity is regulated by a state that creates the necessary conditions for formal businesses to thrive. For them, informal vendors threaten such aspirations. This is the vision of Kampala that the KCCA aggressively pursues. Driving street vendors into markets and developing markets into ‘modern’ shopping centres are important components of broader efforts by both the central and local government to transform Kampala into a ‘modern’, developed city. For the NRM, urban management and development in Kampala have both economic and political dimensions: the ruling party’s apparent success in leading economic development has been key to its legitimacy throughout its time in power, and now that it has taken over the city with the introduction of the KCCA, it is intent on contrasting its performance with that of the opposition-led KCC. In the pursuit of its urban management and development ambitions, the government, in the words of one street vendor, is “chasing the people out of the city.”¹³⁸

One of the most notable features of the KCCA’s market policy is the extent to which it is so clearly at odds with the ideal of vendor ownership that the President has long advocated and the central government has adopted as official policy. This is particularly curious considering the extent to which the KCCA is controlled by the central government. Museveni almost certainly could influence the KCCA to change its position at any time, or even replace Musisi with a more amenable Executive Director since he alone has the power to appoint the head of the KCCA’s technocratic wing. The fact that he has let this conflict continue reveals much about his primary political interests. In the words of one interview respondent: “The President is a politician. He lets Jennifer Musisi do something extreme, but when the people rise up he can come in and pretend to care. So [market ownership] is not a policy question, it is a political question.”¹³⁹ If the KCCA were run by leaders who respected and supported the right of vendors to manage and develop their own markets, then Museveni would not be able to position himself as the champion of market vendors in the city. In such a scenario, conflicts surrounding market ownership and development would possibly decrease due to the fact that vendors could no longer seek political support for

¹³⁸ Group interview, Kampala Hawkers Association, 8 July 2015.

¹³⁹ Interview, Uganda National NGO Forum spokesperson, 17 August 2015.

diverging claims, but these are conflicts that the President actually benefits from, giving him little reason to use his considerable powers to influence the KCCA. Policy coherence or effectiveness are not Museveni's primary goals; what he values most in the city's market conflicts is to appeal to a major group of poor urban voters in order to allow him to attract support at the expense of the opposition. The KCCA, in contrast, is unaffected by electoral concerns, so is instead mainly focused on implementing its development plans and boosting revenue collection to ensure that it is adequately funded. Neither side therefore has any incentive to change its position.

The KCCA has encountered significant obstacles in its efforts to claim control of the markets in Kampala. While it can point to the KCCA Act, the Local Governments Act and the Markets Act to support its position, its claims are not supported by the President's directive on market management or the Local Governments (Kampala City Council) (Markets) Ordinance. In addition, the KDLB has actively opposed the KCCA's claims under its leader and prominent FDC supporter Yusuf Nsubambi, who claims that the Constitution and the 1998 Land Act invest control of the country's land in the people of Uganda rather than any government authority, and that the KDLB has the right to manage land in the city on the people's behalf.¹⁴⁰ The inconsistent and contradictory legislation that is relevant to the city's markets provides an opportunity for interested parties both within the government or markets themselves to bolster competing claims.

iii. Conflicts in Three Markets

Markets are complex institutions with their own internal hierarchies, socioeconomic divisions, political allegiances and competing interests. The policy of allowing vendors to manage and develop their own markets has led to major conflicts between groups of vendors that are shaped by many of these pre-existing points of difference, while the political divisions that have emerged between the President and the KCCA have furthered internal conflicts by allowing competing parties to seek support to advance their management and development claims. These dynamics have played out differently in markets throughout the city, as illustrated by the recent conflicts that have unfolded in Owino, Kisekka and Nakawa. Examining these conflicts reveals three different ways in which the state has impacted the agency of market vendors: in Owino, the President and

¹⁴⁰ Mayanja, Brian, "Musisi, Nsubambi Clash over Owino Market Lease," *New Vision*, 23 May 2012. Also see "Constitution of the Republic of Uganda," Chapter Fifteen, Articles 237-241; and "The Land Act," 1998, Part II, Articles 2 and 3, and Part IV, Articles 56-63.

the KCCA have supported competing management and development claims; in Kisekka, the President and the KCCA have refrained from offering similar support due to the market's ties to the opposition; and in Nakawa, the KCCA has used conflicts between vendors as a pretense to take over the market. Groups of vendors have, in some instances, been able to exercise agency by taking advantage of political support offered by the President or the KCCA, but in general, the efforts by Museveni and the NRM to expand their power has resulted in further marginalization.

a) Owino Market

Although the policy of leasing markets to vendors was adopted in 2007, SLOA did not secure the lease for Owino Market until March 2010.¹⁴¹ SLOA had the support of the President and, eventually, even Sebagala after the Mayor again changed his position on market privatization by reverting to the opposition that he expressed during his campaign, but some within the KCC, including Kijjambu, the Town Clerk, argued that the official tendering process still had to be followed.¹⁴² Museveni, of course, ultimately prevailed, but it took time for his orders to be implemented.

SLOA has also faced significant opposition from within Owino Market itself. Significantly, SLOA is a company rather than a market association, meaning that it has shareholders in whose interests it acts and is not necessarily open and inclusive. The company claims that anyone who owns a shop or stall in the market can become a shareholder for 10,000 UGX a share, but based on its own estimates, about 80% of the vendors in Owino market are renters rather than owners, meaning the list of potential shareholders is limited to only about 10,000 vendors.¹⁴³ It is unclear, however, if this is true; since SLOA is a limited company, critics say that it has no more than 155 shareholders, and that SLOA misled vendors when collecting money for redevelopment by suggesting that contributions to redevelopment were actually share purchases.¹⁴⁴ Regardless of which of these claims is accurate, the vast majority of vendors in a market with approximately 50,000 people are not and cannot become shareholders in SLOA, a fact

¹⁴¹ Mwanje, Robert, "Owino Market Vendors Get Lease," *Daily Monitor*, 12 March 2010. Again, this account of the politics of Owino Market is based on fieldwork.

¹⁴² Sseppuya, Mikaili, "KCC Officials Disagree Over Owino Market Lease," *New Vision*, 7 February 2009.

¹⁴³ Group interview, St. Balikuddembe Market Stalls, Space and Lock-Up Shops Owners Association Limited, Owino Market, 4 August 2015.

¹⁴⁴ Group interview St. Balikuddembe (Owino) Market Produce, Traders and Vendors Co-Operative Society, 8 August 2015. Goodfellow similarly claims SLOA has a maximum of 50 shareholders. See Goodfellow (2012), 169.

that raises significant doubts about the company's ability to represent Owino's vendors as well as its right to manage and develop the market on their behalf.

Dissatisfied with SLOA's exclusionary structure, a group of vendors led by John Bosco Kivumbi formed a rival co-operative known as the St. Balikuddembe (Owino) Market Produce, Traders and Vendors Co-Operative Society (SOPTVC) "to fight for vendors' rights" and demand inclusive management and development processes.¹⁴⁵ In December 2009, SOPTVC obtained a court order blocking SLOA from taking over the lease to the market, and in February 2010, SLOA and SOPTVC arrived at a consent agreement under which the two groups would merge and jointly manage the market. Both of these, however, were violated when SLOA was awarded the lease to Owino Market in March 2010. The directors of SOPTVC then asked to be given control of a two-acre section of the market to develop independently of SLOA, but their request was not granted.¹⁴⁶ Disagreements between SLOA and SOPTVC continued, and in March 2011, SLOA obtained a loan from DFCU Bank for which the bank requested the title for the market as collateral. SOPTVC again accused SLOA of violating both the December 2009 court order and the February 2010 consent agreement in obtaining the lease, for which the directors of SLOA added the word 'Space' to the company's name, changing it to St. Balikuddembe Market Stalls, Space and Lock-Up Shops Owners Association Limited (SSLOA).¹⁴⁷ The bank ultimately accepted a different land title as collateral due to delays in acquiring the lease from the KCC.¹⁴⁸

Once it gained control of Owino, SLOA began to implement its plans for developing the market, which is a condition that it must meet to extend its lease to 99 years. Its original plan was to build a six-storey structure on the site of the current market at a cost of 120 million USD, with its approximately 10,000 members each contributing 1 million UGX.¹⁴⁹ At the time the lease was awarded, Kayongo claimed that SLOA had already collected 7 billion UGX, or 1 million UGX from 7,000 vendors, and there were reports that the market would be demolished for reconstruction as early as October 2010;¹⁵⁰ accounts, however, were contradictory, and according to another,

¹⁴⁵ Group interview St. Balikuddembe (Owino) Market Produce, Traders and Vendors Co-Operative Society, 8 August 2015.

¹⁴⁶ Nakaayi, Florence, "Vendors Ask for Part of Owino Market," *New Vision*, 7 July 2009.

¹⁴⁷ Group interview St. Balikuddembe (Owino) Market Produce, Traders and Vendors Co-Operative Society, 8 August 2015.

¹⁴⁸ Nakaayi, Florence, "Owino Market Title Deed Safe – DFCU," *New Vision*, 17 April 2011.

¹⁴⁹ Ssempijja, David, "Vendors to Build Shs240b Market," *New Vision*, 22 March 2010.

¹⁵⁰ Mwanje (2010).

SLOA had just 1.6 billion UGX saved and was aiming to begin reconstruction in 2011.¹⁵¹ Uncertainty over how much money SLOA had collected led to demands by SOPTVC that the company account for its finances,¹⁵² and the leaders of SOPTVC still maintain that the money collected for reconstruction was never used for its intended purposes.¹⁵³ SSLOA later revised its initial plans, which at the time of fieldwork involved building a ten-storey shopping centre, with the first three stories reserved for current vendors and the next seven open to new tenants that the updated facilities will attract. Construction was supposed to start in 2014, but was again pushed back due to inadequate finances, so SSLOA was still looking for financial support in the form of loans on favourable terms that would not compromise its ownership position. According to the company's plan, construction was to take place in stages over three years so vendors were not displaced, and was to cost 200 million USD.¹⁵⁴ In 2015, however, SSLOA announced that it had found an investor who would provide 400 million USD toward a new 10-year reconstruction plan that is to be undertaken in two stages: in the first, lasting three years, a market where vendors can relocate to during reconstruction is to be built; and in the second, lasting seven years, Owino is to be rebuilt as a 13-storey structure that will accommodate over 40,000 vendors in 14,000 shops and lock-ups as well as an open space floor. The financier of the project has been granted a 20-year lease. SSLOA has reached an agreement with Ketza International, a Canadian construction company, to carry out the first phase of the project.¹⁵⁵ At the time of writing, no work has yet begun on the redevelopment of Owino Market.

SSLOA's directors claim that the company's "vision" is for all current vendors "to own a stall" in the redeveloped market, and state that "[t]he idea is good and the vendors like it."¹⁵⁶ In order for this to happen, however, vendors either have to make their 1 million UGX contribution to redevelopment or, after the new market is built, purchase a stall at a price that is not yet determined and will depend on the ultimate cost of construction.¹⁵⁷ SOPTVC accuses SSLOA of

¹⁵¹ Ssempijja..

¹⁵² Lule, Jeff, "Owino Vendors Split Over Redevelopment," *New Vision*, 25 March 2010.

¹⁵³ Group interview St. Balikuddembe (Owino) Market Produce, Traders and Vendors Co-Operative Society, 8 August 2015. 'SLOA' is used here instead of 'SSLOA' because the company had not yet changed its name at the time under discussion. 'SSLOA' is subsequently used to reflect the company's current name.

¹⁵⁴ Group interview, St. Balikuddembe Market Stalls, Space and Lock-Up Shops Owners Association Limited, Owino Market, 4 August 2015.

¹⁵⁵ Mukisa, Farahani, "Owino Set for Shs1.5 Trillion Upgrade," *Daily Monitor*, 14 December 2015.

¹⁵⁶ Group interview, St. Balikuddembe Market Stalls, Space and Lock-Up Shops Owners Association Limited, Owino Market, 4 August 2015.

¹⁵⁷ Ibid.

hiding the true costs of a stall in the redeveloped market, which it estimates will be close to 100 million UGX for a ten-by-ten foot space.¹⁵⁸ Again, regardless of which of these claims is accurate, even 1 million UGX is a significant amount of money for many market vendors, making securing a stall in the redeveloped market a remote prospect. SSLOA's directors admit that not all vendors will immediately be able to afford space in the newly developed market, but suggest that while "they can't come on board at once", they will eventually be able to raise enough money for a stall.¹⁵⁹ This 'vision', however, seems unrealistic, and many vendors who currently earn their living at Owino Market are at risk of being left behind by SSLOA's ambitious plans.

SOPTVC continues to oppose SSLOA's development plans, which it views as too costly and contrary to the interests of the majority of vendors in the market. Given SSLOA's conduct (and similar experiences at other markets), SOPTVC's leaders have come to believe that the policy of awarding market leases to vendors was implemented improperly and with little accountability, and that as a result it has been hijacked by individuals who seek to manage and develop markets in a way that is self-interested rather than to the benefit of market vendors as a whole. Markets, the leaders of SOPTVC insist, primarily exist "for poor people who can't afford to go and rent in arcades", so if they are transformed into nearly identical structures that are similarly unaffordable, they will end up losing the very quality that sustains them and allows them to provide crucial livelihood support for a large segment of the city's urban poor.¹⁶⁰ With no affordable market space available, vendors would be forced to find alternative sites to trade their goods or, if none were available, adopt a new form of economic activity or leave the city altogether. The position of SOPTVC is clear: "Markets should be owned and governed by the government", and "[i]f there is any redevelopment, it should be done by the government, because vendors can't afford it."¹⁶¹ Markets, SOPTVC holds, are public assets and should be managed as such in a way that prioritizes all of the vendors who occupy them rather than small groups of owners, and the government is best positioned to undertake such a task. The leaders of SSLOA reject the idea that the government should control markets, and argue that rent is significantly higher in markets that are owned by the

¹⁵⁸ Group interview St. Balikuddembe (Owino) Market Produce, Traders and Vendors Co-Operative Society, 8 August 2015.

¹⁵⁹ Group interview, St. Balikuddembe Market Stalls, Space and Lock-Up Shops Owners Association Limited, Owino Market, 4 August 2015.

¹⁶⁰ Group interview St. Balikuddembe (Owino) Market Produce, Traders and Vendors Co-Operative Society, 8 August 2015.

¹⁶¹ Ibid.

KCCA.¹⁶² Kayongo has also accused SOPTVC of “being used by politicians and other rich people in town who are plotting to grab the market land and build arcades”.¹⁶³ The leaders of SOPTVC, in contrast, point to the experience of Shauri Yako Market, where an attempt by vendors to develop the market “failed” and the market is now owned by a wealthy “tycoon”, and claim that SSLOA has brought in outside investors (mainly “foreigners”) for financial backing.¹⁶⁴ Each therefore accuses the other of failing to act in the interests of the market’s vendors.

Both SSLOA and SOPTVC have sought political support for their respective causes. Kayongo continues to be the chairperson of SSLOA, and since the company officially holds the lease to Owino, can claim to be the *de jure* chairperson of the market itself. He is also the head of Kampala Joint Market Vendors Association (KJMVA), a group that unites many of the market associations in the city. Most significantly, Kayongo is now the official Presidential Advisor on Markets, making him Museveni’s chief source of information on matters concerning informal markets in Uganda. It is a position that, in January 2014, came with a monthly salary of over 2.79 million UGX.¹⁶⁵ The leaders of SOPTVC believe that Kayongo used his position to exert improper influence in order to secure the lease to the market, compromising the fairness of the tendering process.¹⁶⁶ They also believe that Kayongo regularly portrays events in the market “to his own advantage”, making it difficult for the President to get an accurate picture of what is actually happening in Owino;¹⁶⁷ this is not merely a partisan sentiment, but one that is shared by ‘ordinary’ vendors as well.¹⁶⁸ In fact, interview respondents both within and outside of Owino Market frequently expressed the idea that by appointing him as a Presidential Advisor, Museveni has effectively co-opted Kayongo, who no longer represents the interests of market vendors (if indeed he ever did). Kayongo himself has abandoned all pretense of political impartiality and has become an outspoken advocate of the NRM, campaigning for the ruling party during elections as a part of Museveni’s efforts to stir up support amongst market vendors.

¹⁶² Group interview, St. Balikuddembe Market Stalls, Space and Lock-Up Shops Owners Association Limited, Owino Market, 4 August 2015

¹⁶³ Kiyaga, Abdu, “Owino Management Locked in Dispute Over Redevelopment,” *Daily Monitor*, 27 October 2011.

¹⁶⁴ Group interview St. Balikuddembe (Owino) Market Produce, Traders and Vendors Co-Operative Society, 8 August 2015.

¹⁶⁵ Kaaya, Sadab Kitatta, “Museveni’s 100 Advisors Revealed,” *The Observer*, 5 January 2014.

¹⁶⁶ Group interview St. Balikuddembe (Owino) Market Produce, Traders and Vendors Co-Operative Society, 8 August 2015.

¹⁶⁷ Ibid.

¹⁶⁸ Group interview, Owino Market vendors, 9 July 2015.

While SSLOA enjoys the support of the President, SOPTVC, in contrast, has sought the backing of the KCCA. The association's position that markets should be owned and managed by the government rather than vendors has made the KCCA a natural ally, and the two have been on the same side in conflicts surrounding the management and development of Owino Market. In December 2011, SOPTVC led a boycott against paying market dues to SSLOA, claiming that only the KCCA had the right to collect money from vendors.¹⁶⁹ The KCCA, SSLOA and SOPTVC attempted to resolve their disputes in a meeting in January 2012 where, according to the leaders of SOPTVC, the parties reached an agreement to form a new group to manage the market that would be led by a chairperson from the KCCA and three representatives each from SSLOA and SOPTVC. SSLOA, however, reneged on the agreement, claiming that it had sole ownership of the market, causing the KCCA to take over Owino, with the support of SOPTVC, in March 2012.¹⁷⁰ The KCCA's control of the market, however, quickly met with major opposition from within the government. In May 2012, the KDLB overturned its offer to lease Owino to the KCCA and ordered that the market be returned to its vendors.¹⁷¹ Museveni backed the KDLB's decision, with his Press Secretary commenting that "whoever does not realize that Museveni always sides with the ordinary people, makes a big mistake."¹⁷² In July 2012, the Solicitor General informed the KCCA of the vendors' right to manage Owino,¹⁷³ and the following month, the Inspector General of Government (IGG) repeated the order that the market be returned to SSLOA, which, the IGG claimed, held a valid lease for the market.¹⁷⁴ SSLOA obtained a court order to be given the market lease from the KCCA in February 2014.¹⁷⁵

Owino's internal conflicts therefore became a proxy struggle between the President, with his position that markets should be owned by vendors, and the KCCA, with its ambitions to improve revenue collection and oversee urban development. Both SSLOA and SOPTVC were able to seek political support to further their own causes surrounding the ownership and development of the market, and able to provoke major interventions by their political allies for their own ends.

¹⁶⁹ Kiyaga, Abdu and Al Mahdi Ssenkibirwa, "Market Vendors Rule Out Violence as Fees Strike Starts," *Daily Monitor*, 1 December 2011.

¹⁷⁰ Group interview St. Balikuddembe (Owino) Market Produce, Traders and Vendors Co-Operative Society, 8 August 2015; and Kiyaga, Abdu, "Police on Standby as KCCA Moves to Take Over Owino," *Daily Monitor*, 6 March 2012.

¹⁷¹ Mwanje, Robert, "Land Board Terminates Owino Market's Lease Offer to KCCA," *Daily Monitor*, 21 May 2012.

¹⁷² Quoted in Mwanje, Robert, "Museveni Tells KCCA Off Owino," *Daily Monitor*, 23 May 2012.

¹⁷³ Waiswa, Juliet, "KCCA Delays Collection of Market Dues at St. Balikuddembe," *New Vision*, 24 July 2012.

¹⁷⁴ Waiswa, Juliet, "IGG Orders KCCA to Hand Over Owino to Traders," *New Vision*, 14 August 2012.

¹⁷⁵ Group interview St. Balikuddembe (Owino) Market Produce, Traders and Vendors Co-Operative Society, 8 August 2015.

Led by Kayongo, SSLOA has secured the continuing support of the President, who both ordered the lease to be given to SSLOA after the KCC's attempt to privatize the market and backed the KDLB's decision to overturn the KCCA's lease offer after the local government tried to take over Owino. SOPTVC has been similarly successful in encouraging intervention by the KCCA, even if these interventions have ultimately failed to overturn SSLOA's management claims and development plans. According to the leaders of SOPTVC, conflicts over ownership, the payment of fees and the treatment of vendors by SSLOA—with claims that those who opposed the company faced harassment, violence and the confiscation of goods—led to protests that served as “a call for the government to come in and save the vendors from the suffering.”¹⁷⁶ These actions caused the KCCA to pursue mediation in January 2012 and to take over the market in March 2012. After the KCCA's authority over the market was undermined, however, attempts to provoke intervention were less successful. In February 2013, another group, Owino Twegatte Development Association, presented a petition to Parliament requesting that the KCCA take control of the market and hold elections for a new market leadership,¹⁷⁷ proposals that Parliament ultimately rejected due to an apparent concern that the government could be forced to make a compensation payment to SSLOA similar to the one that it had made to Basajjabalaba.¹⁷⁸ In October 2014, SOPTVC, under its new leader Joseph Lwanga, led a group of market vendors to the KCCA headquarters in central Kampala and demanded that the KCCA use its powers to stop SSLOA from collecting market dues. Musisi declared that SSLOA was collecting dues illegally, a claim that Kayongo rejected.¹⁷⁹ According to the leaders of SOPTVC, however, they were at least able to convince the KCCA to replace the police officers at the market, who were, they argued, supportive of SSLOA and mistreating vendors.¹⁸⁰

Owino Market remains divided between SSLOA and SOPTVC. At present, however, it appears that SSLOA may have effectively seen off all major challenges to its leadership; the KCCA lost its struggle with SSLOA over control of the market, which is perhaps not surprising considering that the company enjoys the support of the President, and SSLOA is apparently ready

¹⁷⁶ Ibid.

¹⁷⁷ Mulondo, Moses, “Owino Leadership Row Deepens,” *New Vision*, 28 February 2013.

¹⁷⁸ Walubiri, Moses and Joyce Namutebi, “MPs Oppose ‘Owino’ Market Lease Cancellation,” *New Vision*, 26 July 2013.

¹⁷⁹ Mukisa, Farahani, “Presidential Adviser Defies Musisi on Owino Market Fees,” *Daily Monitor*, 13 October 2014.

¹⁸⁰ Group interview St. Balikuddembe (Owino) Market Produce, Traders and Vendors Co-Operative Society, 8 August 2015.

to begin its long-awaited development project, the cost and scale of which has steadily increased since it first acquired the lease to Owino Market in 2010. The leaders of SOPTVC have long warned that a large majority of the market's vendors are being excluded from an expensive and unrepresentative development process; they may soon learn if such concerns were warranted.

b) Kisekka Market

After acquiring the lease for Kisekka Market, NROKKMVL wasted little time in beginning to implement its major development project.¹⁸¹ The association devised plans to construct a four-storey shopping centre with 2,500 shops that will later be expanded to seven stories. A shop in the redeveloped market will have an average price of 1,400 USD per square metre on the ground floor and basement, meaning a standard shop of ten square metres will cost 14,000 USD (which was, at the time of research, equal to marginally less than 50 million UGX). Shops on higher floors will be slightly less expensive. The chairperson claims that there will not be significant changes to the composition of Kisekka, but did acknowledge that the new market would likely have fewer “minor” traders.¹⁸² NROKKMVL contracted Roko Construction Company to carry out the redevelopment process, which the association estimates will take 14-16 months to complete once construction begins.

NROKKMVL quickly came to face significant time and money pressures in its efforts to develop Kisekka.¹⁸³ By August 2015, the association had raised about 12 billion UGX, and after paying for the lease to the market, gave the remainder of its savings (equal to about 3 million USD) to Roko Construction Company. It still, however, needed to raise another 20 million USD (equal to 71.36 billion UGX at the time). Realizing that it was unable to rely on contributions from the market's vendors alone, the association began to seek out external sources of funding. It found interest rates on bank loans too high, however, so it instead began looking for a private investor to provide a loan at an affordable rate of 3-5%, but has so far only found “pretenders”.¹⁸⁴ The association also became willing to sell shops to non-vendors who are able to pay 50% of the cost of the stall upfront (vendors are asked to pay 25%). At the time of research, five hundred units in

¹⁸¹ The development plans described here were outlined in interview, chairperson, Nakivubo Road Old Kampala (Kisekka) Market Vendors Ltd., 20 August 2015.

¹⁸² Ibid.

¹⁸³ This description of NROKKMVL's development efforts is based on *ibid.*

¹⁸⁴ Ibid.

the redeveloped market remained unsold. NROKKMVL, the association's chairperson admits, is "running out of time" due to that fact that its lease for the market expires in 2016 and will not be renewed by the KCCA if it has not done a satisfactory job in leading the market's redevelopment.¹⁸⁵ The chairperson laments that "people have the money, but they fear the politics" due to the concern that the government could reclaim the land and "sabotage" the project.¹⁸⁶ He is confident, however, that these fears will diminish once construction begins.

NROKKMVL has also come under pressure from internal challenges. A group has emerged within NROKKMVL that opposes the association's development plans, and by claiming to represent the majority of the market's vendors who were being excluded from a development process that is being run by and in the interests of a small group of wealthy individuals, its position is highly reminiscent of that of NROKKMVL in the association's previous conflicts with NNRMVA and Rhino Investments.¹⁸⁷ The leaders of this rival group believe that NROKKMVL's redevelopment project is "going to fail" because it is "too expensive for the vendors", and claim that "[m]ost people" would prefer for the market to be run by the KCCA.¹⁸⁸ The leaders of NROKKMVL "thought they could do it," the chairperson of the rival group claims, but vendors have since "realized they can't afford it" and now need the government to "give a helping hand".¹⁸⁹ Members of the group apparently supported a different redevelopment plan, but claim that Roko's bid was accepted because the company paid a bribe that the preferred bidder would not.¹⁹⁰ The chairperson of NROKKMVL rejects the rival group's assertion that the plans to redevelop Kisekka will fail, arguing that "they oppose [redevelopment] because they don't have the money" to contribute to it.¹⁹¹ The difference, he argues, is that while opponents think that the association should have investors before it begins work on the new market, the leaders of NROKKMVL instead believe that its financial position will improve as redevelopment progresses and investors gain confidence in the project.¹⁹²

¹⁸⁵ Ibid.

¹⁸⁶ Ibid.

¹⁸⁷ This group does not have its own name because it is still part of NROKKMVL. It is referred to here using variations of 'the rival group'.

¹⁸⁸ Interview, rival 'chairperson' within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited, 25 July 2015.

¹⁸⁹ Ibid.

¹⁹⁰ Group interview, members of rival group within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited, 21 August 2015.

¹⁹¹ Interview, chairperson, Nakivubo Road Old Kampala (Kisekka) Market Vendors Ltd., 20 August 2015.

¹⁹² Ibid.

Whether or not NROKKMVL will be able to afford its redevelopment plan is not the only point of contention within the association, however. There is also a significant amount of dissatisfaction surrounding the decision to sell space in the new market to non-vendors. Critics of the policy argue that it is “robbing the poor vendor and enriching the land-grabber”, and suggest that NROKKMVL has been taken over by a small group “with the help of land-grabbers” and “rich people” who are “dispossessing thousands and thousands of people” in the market.¹⁹³ It is also, they claim, driving up the price of stalls in the new market. In the words of the chairperson of the rival group: “The rich men can come in and buy twenty lock-ups. Those could be rented out at a lower fee. He comes in and pays for twenty or thirty lock-ups, but then he rents them out at a higher rate.”¹⁹⁴ It is generally seen as unfair, according to a member of the rival group, that an ‘ordinary’ vendor “can’t even afford one shop, but then someone comes in and buys fifty shops.”¹⁹⁵ Critics claim that many outside investors have purchased multiple shops in the new market, “driving out” the vendors who should be benefitting from the redevelopment process; “if the project goes on like that,” one suggests, “we will end up becoming tenants on our own land.”¹⁹⁶ Given that vendors at Kisekka strongly resisted an attempt to privatize the market only a few years ago—the very process, coincidentally, that brought NROKKMVL to power—the widespread unwillingness to see a large portion of the redeveloped market owned by outside investors is unsurprising. Even supporters of NROKKMVL’s development plans are aware that selling shops to outside investors is an unpopular idea, but maintain that it is necessary since vendors have proven to be unable to pay for the new market on their own.¹⁹⁷

The conflicts taking place within NROKKMVL raise important questions about what constitutes development, who has the authority to design and implement development projects and whom exactly development is for. Answers to these questions within the market are largely split along socioeconomic lines: the leaders of NROKKMVL hold that Kisekka should be redeveloped into a ‘modern’ shopping centre with the aid of external financial support, while the rival group that has emerged within the association holds the view that most of the market’s vendors are being

¹⁹³ Group interview, members of rival group within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited, 20 August 2015.

¹⁹⁴ Interview, rival ‘chairperson’ within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited, 25 July 2015.

¹⁹⁵ Group interview, members of rival group within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited, 20 August 2015.

¹⁹⁶ Ibid.

¹⁹⁷ Group interview II, Kisekka Market vendors, 25 July 2015.

excluded from a development process that is being carried out in a way that benefits wealthy outside investors. The rival group, its chairperson claims, is “very strong on the ground” with the market’s vendors, but the leaders of NROKKMVL are supported by “the rich”, whose interests the association’s policies primarily serve, and therefore have access to more resources.¹⁹⁸ In the words of one member of the rival group within NROKKMVL: “No one is against development, but the question is who benefits from that development?”¹⁹⁹ This is a sentiment that is widely shared amongst vendors who are not opposed to the concept of development itself, but are dissatisfied that the current development project being implemented by NROKKMVL does not respect their interests or the role that they should play in market development, and instead surrounds the construction of a new market (possibly for self-interested financial reasons) that many will be unable to afford space in.²⁰⁰ Many vendors would agree with the view that the “policy of enabling vendors to run their markets was a great idea,” but it has been unfortunately been “hijacked” by “corrupt vendor associations” like NROKKMVL.²⁰¹ The leaders of NROKKMVL, the chairperson of the rival group claims, “should leave because they are failing development.”²⁰² It is an opinion that attracts a lot of support.

Conflicts surrounding the redevelopment of Kisekka escalated significantly when, in December 2014, NROKKMVL demolished Kisekka Market to begin construction on its planned shopping centre. The rival group within the association had obtained a court order to prevent the demolition in September of the same year, but the ruling was ignored by the leaders of the association. The rival group also accuses the leaders of NROKKMVL of violating an agreement that the market would be redeveloped in stages so that vendors would not be displaced while construction was taking place.²⁰³ The association initially planned to temporarily relocate vendors to the nearby Namayiba Bus Terminal, but it was later revealed that the site was far too small to

¹⁹⁸ Interview, rival ‘chairperson’ within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited, 25 July 2015.

¹⁹⁹ Group interview, members of rival group within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited, 20 August 2015.

²⁰⁰ Group interview, Kisekka Market vendors, 19 August 2015.

²⁰¹ Group interview, members of rival group within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited, 20 August 2015.

²⁰² Interview, rival ‘chairperson’ within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited, 25 July 2015.

²⁰³ Group interview, members of rival group within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited, 20 August 2015.

accommodate all of the vendors who would be displaced from Kisekka.²⁰⁴ With their old market spaces gone and without any readily available affordable alternatives, most vendors moved to the arcades located across the street from where Kisekka Market formerly stood, which is now an empty lot awaiting construction. Space in the arcades, however, is extremely expensive, averaging between 500,000 and 1.5 million UGX per month, causing many vendors to be “pushed out of the city” due to “excessive rent”.²⁰⁵ Compounding the problem, the owners of the arcades actually raised rental rates following the arrival of vendors from Kisekka due to increased demand for space.²⁰⁶ Delays in construction are only prolonging the amount of time that vendors have to spend in the arcades, causing them an even greater financial strain. It is also difficult for vendors to pay for both rent in the arcades as well as space in the new market, and money that could otherwise be saved in a more favourable location is instead spent on rent, further diminishing vendors’ prospects of participating in redevelopment. The demolition of Kisekka Market and the high cost of rent remain major sources of grievance for vendors, and contribute to dissatisfaction with the market development project in general.²⁰⁷

Disputes within NROKKMVL eventually resulted in leadership struggles within the association.²⁰⁸ The leaders of NROKKMVL were elected in 2007 to serve for a period of three years, but according to leaders of the rival group, never called an Annual General Meeting to stand for re-election. In January 2015, members of the rival group wrote to the Registrar General, Bemanya Twebaze, requesting permission to call an extraordinary meeting to hold new elections. Their request was granted, and at the meeting, held the following month, attendees passed a motion of no confidence against the leaders of NROKKMVL and elected a new board to lead the association. The Registrar General then ordered that a new meeting be called because some attendees were not properly registered as members of the association. Members of the rival group called a second meeting in May 2015, apparently under the impression that the leaders of

²⁰⁴ Tajuba, Paul, “Tear Gas as Kisekka Market Vendors Protest Relocation to Bus Terminal,” *Daily Monitor*, 23 April 2014.

²⁰⁵ Group interview, members of rival group within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited, 20 August 2015.

²⁰⁶ Mulondo, Lawrence and Juliet Waiswa, “Rent in Arcades Overwhelms Former Kisekka Market Vendors,” *New Vision*, 12 January 2015.

²⁰⁷ Group interview I, Kisekka Market vendors, 25 July 2015; interview, member of rival group within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited, 25 July 2015; and group interview, Kisekka Market vendors, 19 August 2015. These were also commonly mentioned in survey responses.

²⁰⁸ This account is based on research undertaken for this thesis, particularly group interview, rival group within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited, 21 August 2015.

NROKKMVL refused to do so themselves, at which attendees again elected a new board with 21 members, including both of the representatives of the association's management that were present, as well as a new chairperson, Geoffrey Kayita. The leaders of the association did hold their own meeting, however, which members of the rival group say they were not informed of and did not have a quorum. As a result, two different groups exist in the market with both claiming to be the legitimate representatives of the market's vendors and the current leaders of NROKKMVL. At the time of research the original leaders of NROKKMVL were still working to implement the association's development plan.

What is particularly notable about Kisekka is that, in contrast to Owino, divisions within the market have not resulted in the emergence of extensive political linkages between groups of vendors and either the central and local government. This is due to the fact that the market is seen as a major centre—quite possibly *the* major centre—of opposition support in the city. The market's political image prevents vendors in the market from being able to attract support from either Museveni or the KCCA, neither of which has any interest in aiding supporters of the opposition. The political connections that do exist in the market are with opposition politicians, particularly Besigye and Lukwago, who use the market to rally support (as discussed below), but given the limited political power of the opposition both in Uganda and, since 2011, in Kampala, these bring few benefits. In fact, one respondent interviewed for this thesis expressed the view that vendors in Kisekka are being “punished” for their political sympathies, suggesting that the demolition of the market would never have happened if vendors instead supported the NRM.²⁰⁹ Conflicts at Kisekka have certainly succeeded in driving many of the market's vendors out of the city, which has aided the ruling party in its efforts to regain control of Kampala by harming a crucial segment of the opposition's support.

Tied to its image as a centre of opposition politics is the widely held perception that Kisekka is, in the words of the *Daily Monitor*, “the hotbed of rioters and demonstrations” in the city.²¹⁰ This view has persisted since NROKKMVL led protests against NNRMVA and Rhino Investments as the rival group within NROKKMVL led protests of its own, most notably against the demolition of Kisekka and the forced relocations that this involved. The group has since given

²⁰⁹ Interview, NUIEWO founder, 7 March 2015.

²¹⁰ Quoted from Mukisa, Farahani, “Kisekka Market: Beyond Rioters, Seeing Innovators,” *Daily Monitor*, 5 May 2014.

up the use of protests as a tactic, however, because the police would just “throw [them] in jail” while even vendors who were not involved would have their property destroyed or stolen.²¹¹ Lamenting the fact that the market had gained “a bad name” and not wanting to be seen as ‘rebels’, the group resolved to pursue their goals through legal channels instead.²¹² The market has also featured prominently in larger demonstrations and periods of unrest in the city, most notably serving as the “epicentre” of the 2009 Buganda riots—events that led to a police crackdown in which over 40 people were killed—and, as discussed below, played an important role in the Walk to Work Protests.²¹³ Such events have only increased the amount of repression that Kisekka vendors face, with the market eventually becoming a place where “any petty skirmish attracts heavy police deployments”.²¹⁴ Again, the market’s history of protest only furthers the image of urban chaos and disorder that has long been tied to the market and informal vending more generally, and makes Kisekka appear to be an even greater obstacle to the government’s efforts to transform Kampala into a modern, developed city that is controlled by the ruling party.

With NROKKMVL’s lease on the market up for renewal in 2016, and given both the KCCA’s commitment to regaining control of the city’s markets as well as the extent to which redevelopment has stalled, it is quite possible that Kisekka will soon come under the control of the city government. If this happens, the market would still be stuck between demolition and reconstruction, and any further development would be decided upon and led by the KCCA. At the time of writing, its future remains uncertain.

c) Nakawa Market

Nakawa Market, unlike both Owino and Kisekka, actually has been taken over by the KCCA, and therefore provides an interesting glimpse into an arrangement that some vendors in the city see as preferable to the management of markets by small, unrepresentative groups of wealthy traders. Vendors at Nakawa Market are largely united in their desire to regain control of the market from the KCCA. They are, however, still divided on the issue of what group of vendors

²¹¹ Group interview, members of rival group within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited, 20 August 2015.

²¹² Ibid.

²¹³ Quoted from Lubega, Henry, “When Rioters Ruled Kampala,” *Daily Monitor*, 12 December 2015. For a description of the police response to the Buganda riots, see “Uganda: 5 Years on, No Justice for Protest Killings,” Human Rights Watch, 10 September 2014.

²¹⁴ Quoted from Imaka, Isaac, “Stalemate at Kisekka Market Over Besigye,” *Daily Monitor*, 12 May 2011.

should manage the market. One group of vendors has co-operated with the KCCA even while trying to get the KCCA removed from the market, giving it an advantage over its rival that receives no political backing. Efforts by both groups to dislodge the KCCA, however, have proven unsuccessful.

Since NMVAL and NMVA both claimed the right to manage Nakawa Market, each also claimed the right to collect market dues. Conflict between the two, however, meant that dues often went uncollected or were not properly remitted to the KCC. Unhappy with its low revenue intake from the market, the KCC briefly took over Nakawa in July 2009.²¹⁵ The dispute between the two groups was still unresolved by the time the KCCA was introduced in 2011, and by July of that year, vendors at Nakawa owed the KCCA a total of 420 million UGX in unpaid market dues.²¹⁶ In the same month, the KCCA cancelled all contracts pertaining to Nakawa Market and assumed the management of the market itself.²¹⁷ Police deployed heavily in the market following the takeover to prevent any unrest caused by popular discontent with the KCCA's actions.²¹⁸

The KCCA organized elections in the market in March 2013. The elections were “hotly contested” and had to be run twice due to irregularities in the first ballot, but both contests were won by a group of vendors who represented neither NMVAL nor NMVA, but a new third group, Nakawa Market Traders’ Development Association (NMTDA).²¹⁹ After five years of conflict between NMVA and NMVAL, the main outcome of which was for the market to be taken over by the KCCA, vendors evidently wanted new leadership in the market. The same year, the leaders of NMVAL initiated a lawsuit against the KCCA claiming that they had the right to manage Nakawa Market based on their April 2008 agreement with the KCC. In May 2015, a judge ruled in favour of the KCCA, arguing that although NMVAL made an effort to acquire the tender for the market from the KCC, the association “failed to prove” that it had a contract with the KCC “for the management, control and maintenance of Nakawa Market”.²²⁰ The leaders of NMVAL reject the judgement of the court, claiming that the findings of the case showed that they were the rightful holders of the market’s tender and that the judge must have been influenced to rule in favour of

²¹⁵ Waiswa, Juliet, “Nakawa Loses Sh120m in Taxes,” *New Vision*, 14 July 2009.

²¹⁶ Kostov, Nicolas and Andrew Bagala, “Nakawa Market Contractors on the Run,” *Daily Monitor*, 21 July 2011.

²¹⁷ Ibid.

²¹⁸ “Police Deploy at Nakawa Market,” *New Vision*, 20 July 2011.

²¹⁹ Interview, chairperson, Nakawa Market Traders’ Development Association, 29 July 2015.

²²⁰ Nakawa Market Vendors Association Ltd. v. Kampala Capital City Authority, High Court Civil Suit No. 135 of 2010, May 2015.

the KCCA.²²¹ The group refuses to surrender its claim to Nakawa Market, and promises to continue to challenge the KCCA's management. In the words of one member of NMVAL: "We are going to cause a war with the KCCA. You will hear us."²²²

NMTDA continues to manage Nakawa Market, and owes its position to the backing that it receives from the city government. NMTDA handles most of the duties involved in running the market, particularly the resolution of conflicts between vendors or other internal problems. The only service provided by the KCCA is garbage collection.²²³ Despite the KCCA's stated intention to develop Nakawa Market, it had not even devised firm plans to do so at the time of research. One task that the KCCA has accepted responsibility for, however, is the collection of market dues. The leaders of NMTDA are unhappy with the fact that although they are the ones who are "keeping law and order" and "helping people in the market", they "don't get a penny" from the government.²²⁴ Despite the KCCA's presence, the chairperson of NMTDA complains, "everything we do here we do with our own money."²²⁵ In his view, the KCCA "has turned markets" in Kampala into "revenue generating institutions", ignoring the fact that they "are supposed to be service providers."²²⁶ NMTDA may co-operate with the KCCA to manage Nakawa Market, but it does so reluctantly.

Both the leaders of NMVAL and NMTDA therefore want the same thing: to be able to run Nakawa Market without the interference of the KCCA. The leaders of NMTDA strategically ally with the KCCA in order to maintain the group's position in the market, but they still aim to remove the KCCA and manage the market themselves. Notably, they plan to appeal to the President "telling him of our plight, telling him of what we are going through and what we demand from him as the head of our country."²²⁷ Museveni, the chairperson of NMTDA notes, tends to come to the aid of vendors "when things are not well" and "there is chaos in the markets", and unlike other politicians, "realizes there is value in the informal sector".²²⁸ NMTDA has also joined the Central Organisation of Free Trade Unions (COFTU), one of the country's two main labour organizations, which is currently lobbying Parliament to amend the 1942 Markets Act in line with the President's

²²¹ Group interview, Nakawa Market Vendors Association Limited, 14 August 2015.

²²² Ibid.

²²³ Interview, member of Nakawa Market Traders' Development Association, 29 July 2015.

²²⁴ Interview, chairperson, Nakawa Market Traders' Development Association, 29 July 2015.

²²⁵ Ibid.

²²⁶ Ibid.

²²⁷ Ibid.

²²⁸ Ibid.

policy that markets should be owned and run by vendors. Significantly, the leaders of NMTDA have rejected the use of protest in the pursuit of their goals due to the belief that such a tactic would ultimately be counterproductive. In the words of the chairperson of NMTDA: “If people here believed in violence we would have driven KCCA away. We would have gone on strike. But KCCA wants you to go on strike so they can come in and say what? ‘You can’t manage.’... KCCA wants markets in chaos so they can use force to take over the market.”²²⁹ The leaders of the association understand the power of discourses that associate market vending with disorder, as well as the significant role that these play in justifying the KCCA’s efforts to assume control of the city’s markets. By consciously avoiding protest (in notable contrast to vendors in Kisekka), they are seeking to deny the KCCA the ability to claim that controlling Nakawa is necessary to impose order on the market. Instead, they are relying on either the President or Parliament to come to their aid. At the time of writing, neither has yet done so.

NMVAL, in contrast, receives no political support, and is left with no power in Nakawa Market. The association has also appealed to the President, who they believe is “here for [them]” and needs their assistance to develop the market “[b]ecause the land is not his.”²³⁰ Still, the group has been unable to gain his support due to the fact that, just as in its previous struggles with NMVA, it is not clear that NMVAL can validly claim to represent most, let alone all, of the vendors in the market. The fact that NMTDA was elected to lead the market gives NMVAL’s claims even less legitimacy, as does the fact that it has had its claims to control the market rejected by the courts, and it is difficult to see why Museveni would intervene to support a group that is apparently less popular than its rivals. Unlike SSLOA in Owino, the President lacks political ties with NMVAL and the association lacks the support and the resources necessary to control the market, so co-opting the group would not necessarily increase the President’s power or popularity in the market. Without the support of either the President or the KCCA, and with their claims rejected in court, NMVAL’s options are limited. Like NMTDA, NMVAL has always avoided the use of protest in the pursuit of its goals, and its leaders claim that they have always been able to dissuade supporters from demonstrating by arguing that they were “handling the situation” through legal means.²³¹ This, however, may now change. According to one member of NMVAL: “After failing, our

²²⁹ Ibid.

²³⁰ Group interview, Nakawa Market Vendors Association Limited, 14 August 2015.

²³¹ Ibid.

dissatisfaction will be open. We will tell the vendors to decide for themselves.”²³² If the leaders of NMTDA are correct, any protest that occurs could primarily serve to undermine the vendors’ cause by strengthening the KCCA’s arguments about the need to impose order on a chaotic market. At the time of research, these protests had not yet taken place (if, indeed, they will take place at all). The KCCA’s control over Nakawa Market remains undiminished.

iv. *The Agency of Market Vendors in Conflicts Over Ownership and Development*

The conflicts surrounding ownership and development that came to consume Kampala’s markets after the KCC’s failed privatization efforts provide crucial insights into how the state impacts the agency of informal vendors. The policy that vendors should have the right to manage and develop their own markets has exacerbated the divisions that exist between vendors, and the President and the KCCA have been able to manipulate these divisions for their own advantage. The markets discussed here reveal three different ways in which the state has impacted the agency of vendors in conflicts surrounding management and development. In Owino Market, the President and the KCCA have provided support for two groups with competing management and development claims. With the support of the President, SSLOA has been able to secure its control of Owino and proceed with a market development plan that faces significant opposition. SOPTVC has used the support provided by the KCCA to oppose SSLOA’s control of the market and plan for market development, but its efforts have proven unsuccessful. In Kisekka Market, in contrast, groups of vendors engaged in similar conflicts surrounding market management and development have been unable to secure any political support. Neither Museveni nor the KCCA has any interest in coming to the aid of vendors at a market that is viewed as a centre of opposition support and protest in the city, and as a result, an increasingly unpopular market development project has stalled, the market has been demolished with few signs of reconstruction, vendors have been displaced and it is quite possible that the KCCA will acquire the lease for the market from NROKKMVL in the immediate future. In Nakawa Market, the KCCA has taken the opportunity presented by conflicts over market management to take over the market itself. It has provided its support for NMTDA to manage the market on its behalf, which the group does despite its own opposition to the KCCA, while NMVAL has seen its market management claims repeatedly denied.

²³² Ibid.

The divisions that have re-emerged and deepened due to the policy that vendors should manage and develop their own markets have fundamental socioeconomic roots. These roots can be obvious, particularly when they surround patterns of ownership; in Owino, for example, SSLOA is exclusively controlled by and represents the interests of the (at most) 20% of vendors who own shops and stalls in the market. They can also simply be related to varying levels of capital accumulation. Owners are likely to have higher incomes than renters, and indeed may derive some of their income by renting out their market space(s) to tenants. There is also a notable socioeconomic hierarchy in which the occupants of lock-up shops are above the occupants of stalls and both, in turn, are above the occupants of open spaces. These socioeconomic roots are important because the resources at a vendor's disposal determine his or her ability to participate in and benefit from specific market development projects. Major market redevelopment projects, such as those that are planned in Owino and Kisekka, are viewed by some vendors as an opportunity to improve working conditions and incomes, but are seen by others as a threat to already precarious livelihoods due to the various costs they involve, particularly mandatory contributions to reconstruction, displacement during the rebuilding process and higher rent once the new structure is complete. Such projects are likely to be led and supported by wealthier vendors, particularly those who own shops and stalls, who can afford to pay for and who will benefit from market development, and more likely to be opposed by poorer vendors, particularly renters who operate in less expensive market space(s). The fact that vendors may oppose a particular development project, however, does not mean that they are opposed to the concept of market development itself; indeed, interview and survey respondents regularly indicated a desire for market development regardless of their background. Conflicts instead surround disagreements between vendors about what form(s) development should take and whom it should benefit. What constitutes development for wealthier vendors does not necessarily constitute development for poorer vendors who are excluded due to what are for them prohibitive costs, so what opponents of specific projects usually want is for market redevelopment to be designed and implemented in a way that is more inclusive. In Kampala's markets, 'development' is itself an open and contested concept that all parties interpret and seek to influence in accordance with their socioeconomic position.

Compounding these issues is the fact that development also serves as a useful pretext to serve self-interested goals. Ownership and management claims are strengthened and given a degree of apparent legitimacy if they are justified by claims of serving development, allowing

individuals and groups to gain control of valuable pieces of land “under the guise of developing the city.”²³³ It is not only private investors who, in the words of Lukwago, “hide behind the notion of development”, since groups of vendors also make developmental claims to advance their positions within a market and to impose their own visions of market transformation.²³⁴ Conversely, arguments about development can also serve to delegitimize internal dissent; vendors in Owino, for example, complain that when they try to alert the government to the market’s problems, the leaders of SSLOA deny that these problems exist and convince the government that the group is leading the development of the market.²³⁵ Many vendors would agree with the argument, expressed by a KCCA official, that “no adequate guidelines were put in place” for the policy of allowing vendors to manage and develop their own markets, and as a result, “[i]t is the few at leadership level that are likely to benefit from this arrangement.”²³⁶

The possibility of gaining the support of either the President or the KCCA to advance market management and development claims provides an important opportunity for some groups of vendors to exercise agency. Groups such as SSLOA, SOPTVC and NMTDA have all, in various ways, taken advantage of political support. SSLOA has particularly benefited from the support that it receives from Museveni, which has secured its control of the market despite opposition from both SOPTVC and the KCCA and allowed it to work towards implementing its market development plans. SOPTVC and NMTDA, on the other hand, have continued to face major obstacles despite receiving political support, since the backing of the KCCA has ultimately not allowed SOPTVC to effectively challenge SSLOA while NMTDA, despite co-operating with the KCCA, desires to free Nakawa from the control of the local government. Still, political support has allowed SOPTVC to advance its claims and NMTDA to manage Nakawa, facilitating the agency of both groups.

It is equally true, however, that the President and the KCCA are able to use the support that they can provide for groups of vendors to pursue their own interests in controlling markets, which are, for Museveni, minimizing opposition support while improving his personal popularity amongst vendors, and for the KCCA, managing markets to improve revenue collection and fulfilling developmental ambitions. Thus the leaders of SSLOA have secured the support of the

²³³ Interview, Uganda National NGO Forum spokesperson, 17 August 2015.

²³⁴ Interview, Erias Lukwago, 10 August 2015.

²³⁵ Group interview, Owino Market vendors, 9 July 2015.

²³⁶ Email interview, KCCA official, 17 February 2016.

President while the President can use the company to control the market and mobilize support for himself, particularly during elections. The leaders of SOPTVC, in contrast, have attracted the support of the KCCA, which has aided the KCCA in its efforts to gain control of the market. The support provided by either the President or the KCCA can further exacerbate divisions by altering the power balance between different groups. In Nakawa, for example, the support that the KCCA provides to NMTDA allows the association to play a role in the management of the market, while the leaders of NMVAL blame the KCCA for dividing vendors: “We are all vendors, but they make sure you hit one another.”²³⁷ Divisions between, on the one hand, the central government and the KCCA, and on the other, different groups of vendors, therefore feed into each other: competing vendors’ groups seeking support for their ownership and development claims strengthen the positions of both the President and the KCCA, while competition between the President and the KCCA allows some groups of vendors to further pursue their claims.

It is important not to confuse agency for some vendors’ groups with agency for market vendors more generally. The ability of one group to exercise agency can directly infringe upon the ability of another group to do so as well; the ability of SSLOA to lead market management and development, for example, is directly detrimental to SOPTVC. Furthermore, political support is not available to all vendors’ groups, as the experience of vendors at Kisekka Market and NMVAL demonstrate. Also of particular significance is the fact that market vendors are not only divided by competing ownership and management claims, but also between those who actively support claims and those who do not. Crucially, the majority of vendors who responded to interviews and surveys were not involved in any market associations and did not participate (or would not admit to participating) in demonstrations. There are many reasons for this lack of involvement. Vendors in Owino, for example, provided some of the most important: the view that neither SSLOA nor SOPTVC has done anything to benefit vendors, so many just avoid both;²³⁸ the belief that “the heads of the associations are not trustworthy, transparent or reliable”;²³⁹ and the failure to “understand the agenda” of either group.²⁴⁰ The “state machinery” that exists in markets in the form of the political ties of vendors’ groups, such as those between SSLOA and the President, also acts as a major deterrent because it means that vendors who openly oppose a politically powerful

²³⁷ Group interview, Nakawa Market Vendors Association Limited, 14 August 2015.

²³⁸ Group interview, Owino Market vendors, 19 August 2015.

²³⁹ Quoted from a survey collected at Owino Market.

²⁴⁰ Interview I, Owino Market vendor, 9 July 2015.

group can face exclusion from access to certain financial opportunities in the market or even from the market itself.²⁴¹ Similarly, participation in demonstrations carries the obvious threat of police repression. Such risks threaten the already precarious livelihoods of many poor market vendors, making the costs of involvement in market conflicts unappealingly high. Still, the fact that such a large share of vendors fail to support any organizations again raises the question of who has the legitimate authority to represent vendors in issues of management and development. It also suggests that vendors' organizations are not necessarily vehicles for agency, but can reinforce existing hierarchies and advance certain interests that in fact limit the agency of a large share of vendors in a market. A group such as SSLOA that is run by and consists of a small share of market vendors who own shops and stalls and is imposing a development plan that many vendors find unaffordable can be viewed in such a way. These groups can be oppressive, exclusionary and threaten vendors' livelihoods, significantly limiting rather than promoting agency.

Divisions exist not only within markets, but between markets as well. Vendors and their associations are commonly focused on the immediate problems that affect their own markets, and even though vendors in different markets share many common interests and often face similar obstacles, co-operation is rare. One respondent blamed the leaders of associations for being "myopic" in their failure to understand that vendors have common interests,²⁴² but it is also true that associations often only practice "management by crisis" rather than proactive long-term planning due to the challenges that they constantly face.²⁴³ There are still some options for groups of vendors who do want to join larger organizations outside of individual markets. NMTDA, for example, has joined COFTU, which the association's leaders believe will increase its bargaining power and give it more influence over government decision-making. According to the chairperson of NMTDA, "it is very difficult for a market like Nakawa to influence KCCA" on its own, but "the government will be able to tackle issues of all markets" if vendors from different markets make their appeals together through COFTU "with one voice".²⁴⁴ The fact that NMTDA is the only vendors' association in all of the markets under study to have joined COFTU, however, undermines the goal of unified collective bargaining. Other organizations are less receptive or appealing to vendors. The National Organization of Trade Unions (NOTU), the second of

²⁴¹ Interview, NUIEWO founder, 7 March 2015.

²⁴² Group interview, Usafi Vendors Association, 18 July 2015.

²⁴³ Interview, NUIEWO founder, 7 March 2015.

²⁴⁴ Interview, chairperson, Nakawa Market Traders' Development Association, 29 July 2015.

Uganda's two main trade union organizations, does not allow groups that represent informal actors to join, reflecting a common divide that exists between formal and informal economic activity due to divergent interests and different social relations of production.²⁴⁵ This exclusion is one of the major reasons why COFTU was founded in the first place.²⁴⁶ Even groups that specifically exist to aid the collective organization of informal vendors are not necessarily ideal vehicles for representation, since both NUIEWO (as discussed in Chapter Four) and KJMVA, under Kayongo, are widely seen as having been co-opted by the central government. The possibility for co-operation between markets therefore remains largely unrealized.

The divisions that exist within informal markets point to significant class fragmentation amongst vendors. Following the work of Barbara Harriss-White and Nandini Gooptu, and, latterly, Rizzo, the groups formed by informal vendors often engage in a 'struggle over class' rather than a 'struggle between classes' since they embody and seek to advance competing interests that are fundamentally shaped by socioeconomic and political roots.²⁴⁷ Indeed, the competing interests of vendors and the extent to which these are tied to both ownership patterns and capital accumulation demonstrate the difficulty of understanding informal market vendors as belonging to a single class at all; if they do, it is one that has lacked unity since the common threat of privatization has disappeared. The groups that vendors form often increase fragmentation by representing narrow sets of interests,²⁴⁸ and divisions between the President and the KCCA allow competing groups to attract political support. Both the President and the KCCA exploit these political ties for their own purposes, solidifying fragmentation and further ensuring that issues surrounding market ownership and development remain perpetually unresolved. As long as these divisions exist, the agency of market vendors will be significantly constrained.

v. *The Electoral Politics of Markets*

Market vendors' ability to take advantage of divisions within the state becomes particularly acute during elections. While the KCCA is not affected by electoral concerns, the desire to attract the support of market vendors is the President's primary motivation for intervening in market

²⁴⁵ See, for example: Andrae and Beckman; and Jimu.

²⁴⁶ Interview, chairperson, Nakawa Market Traders' Development Association, 29 July 2015.

²⁴⁷ Harriss-White, Barbara and Nandini Gooptu, "Mapping India's World of Unorganized Labour," *The Socialist Register* 37 2001: 89-118; and Rizzo (2011).

²⁴⁸ A similar phenomenon is described in Meagher (2010), 105-120.

conflicts. Kampala is a particularly contested electoral battleground given the popularity of the opposition in the city and the desire of the ruling party to establish its dominance over the country's economic and political capital. Market vendors constitute a large segment of the urban poor in Kampala, numbering around 150,000 people in a city with a population of 1,936,000, making them a significant voting demographic.²⁴⁹ As argued above, the KCC's failed market privatization program almost certainly contributed to the opposition's poor performance in the 2011 local elections, allowing the NRM to capture the majority of council seats at both the city (LC5) and city division (LC3) level for the first time since the introduction of decentralization and democratization. Market privatization was undertaken on the local rather than national level, however, and the opposition party that controlled the KCC, the DP, was not the same as the opposition party that was prominent in national elections, the FDC, meaning that a similar boost for the President was not a guarantee. Still, Museveni made every effort to ensure that he got one. This provided vendors with the opportunity to exercise a certain degree of agency.

The most obvious way in which the President appeals to market vendors before and during elections is by supporting their right to manage and develop markets. This is an issue that is of central importance to vendors, and survey respondents often cited issues of market management and development as key to determining how they will vote. As explored above, however, supporting management and development claims is not merely a neutral policy of vendor empowerment, but involves favouring the claims of particular individuals or groups while rejecting others. This means supporting a particular claim will not be universally popular, and will likely further deepen market divisions. Since the groups that the President does back often provide political support in return, the NRM also uses its ties to market leaders and associations to mobilize support amongst vendors. For example, Kayongo, the head of both SSLOA and KJMVA as well as Museveni's Presidential Advisor for markets, campaigns for the NRM during elections, attempting to mobilize vendors to provide support for the ruling party; similarly, the leaders of NMVA campaigned for the NRM in the run-up to the 2011 elections, using some of their own funds to do so with the apparent promise of future financial benefits.²⁵⁰ The problem with these

²⁴⁹ The city's total population in 2015 is estimated in "World Urbanization Prospects: The 2014 Revision," 345. Figures for the total number of market vendors are outlined in Chapter One. Not all market vendors necessarily live within the city's boundaries, but those who do may have dependents whose voting decisions will also be influenced by market issues.

²⁵⁰ Goodfellow and Titeca, 267. The authors do not specify which association they are referring to, but it is most likely NMVA.

efforts, however, is that SSLOA faces and NMVA faced significant opposition in their respective markets, making both imperfect vehicles for vendor mobilization. The significant divisions that exist within markets present a major obstacle to any effort to attract the support of market vendors.

The NRM also seeks to attract the support of vendors during election campaigns through the distribution of material goods. The monetization of elections has become a major feature of the democratic process in Uganda, and the NRM is particularly guilty of using state resources for its own partisan purposes, a practice that blurs the distinction between the NRM and the state and provides the ruling party with a notable financial advantage over the opposition.²⁵¹ Attempts by the NRM to use public money to secure popular support were widespread in the run-up to the 2011 elections. The central government's 2010/11 budget contained a 16% increase in spending from the previous year, and in January 2011, the month before the elections were held, a supplementary budget of 602 billion UGX was passed, with 85 billion UGX given specifically to the President.²⁵² In a 2012 Afrobarometer survey, 41% of respondents reported being offered money or other gifts as a means of securing their votes during the 2011 elections.²⁵³ The NRM was responsible for 67% of vote buying offers.²⁵⁴ A large share of vendors surveyed for this thesis reported that politicians offer goods, particularly money and t-shirts, as a means of encouraging vendors to vote for them, while vendors interviewed at Kisekka also described how the NRM would distribute items such as salt and sugar in the market in an effort to attract support.²⁵⁵ Since market vending is usually a low income activity, even small handouts can lead to noticeable livelihood gains. As a result, elections serve as significant periods of economic opportunity for vendors.

Some forms of attempted vote buying are less explicit than others. While it is common for politicians to simply hand out money to potential supporters, the NRM also uses SACCOs, the government sponsored co-operative savings and credit organizations that provide their members with affordable loans, as a vehicle for distributing money to low-income voters. SACCOs were introduced after the 2006 elections and expanded significantly in the run-up to 2011. A specific

²⁵¹ See, for example: "Report on Money in Politics: Pervasive Vote Buying in Uganda Elections," Democracy Monitoring Group, January 2011; and "Uganda: Final Report: General Elections 18 February 2011," European Union Election Observation Mission, 10 March 2011, 24-26.

²⁵² Conroy-Krutz, Jeffrey and Carolyn Logan, "Museveni and the 2011 Ugandan Election: Did the Money Matter?" *Journal of Modern African Studies* 50 (4) 2012: 632.

²⁵³ Kewaza, John Martin, "Fighting Corruption in Uganda: Despite Small Gains, Citizens Pessimistic about their Role," Afrobarometer Dispatch No. 77, 28 March 2016.

²⁵⁴ Conroy-Krutz and Logan, 636.

²⁵⁵ Group interview, Kisekka Market vendors, 19 August 2015.

budget was set aside in 2010/11 to fund SACCOs in markets with the apparent goal of providing all vendors in urban areas with loans of 30,000 UGX and all vendors in rural areas with loans of 20,000 UGX. Kayongo, as the Presidential Advisor for markets, was appointed to lead the program. The money that the central government provides to SACCOs is often seen and presented as specifically associated with the NRM, making its distribution a political rather than merely technocratic exercise.²⁵⁶ The government often gives money to certain SACCOs and not others, and whether or not a SACCO receives money from the government can depend on its political connections.²⁵⁷ In Owino, for example, the central government apparently gives money to a SACCO run by SSLOA but not to other SACCOs in the market.²⁵⁸ It is not guaranteed that money given by the central government will reach market vendors, however: one vendor in Owino claimed that the leaders of SSLOA simply keep the money that is given to them by the NRM,²⁵⁹ while other vendors reported joining SSLOA just to receive some of the money that was given to the company by the central government, but complained that it only went to “known” people in the market.²⁶⁰

Museveni’s electoral performance in Kampala improved significantly in 2011, when the first elections after his intervention into market conflicts were held. In 2006, the President received 170,688 votes in the city (39.5%) while Besigye won 245,004 (56.69%); this margin narrowed significantly in 2011, with Museveni winning 225,698 votes (46.08%) and Besigye claiming 229,527 (46.86%). Still, while Museveni’s share of the vote increased in Kampala, it improved even more significantly across the country, growing from 4,109,449 (59.26%) to 5,428,369 (68.38%).²⁶¹ It is therefore difficult to attribute the President’s improved performance in the city to any increased support from market vendors. The divisions that exist within markets were likely too significant to overcome with the President’s support for ownership and development claims; in fact, Museveni’s intervention contributed to deepening these divisions even further. Even

²⁵⁶ Titeca, Kristof, “The Commercialisation of Uganda’s 2011 Election in the Urban Informal Economy: Money, Boda-Bodas and Market Vendors,” in Perrot et al. eds., 185-193.

²⁵⁷ Interview, lawyer, 30 July 2015.

²⁵⁸ Group interview, St. Balikuddembe Market Stalls, Space and Lock-Up Shops Owners Association Limited, Owino Market, 4 August 2015.

²⁵⁹ Interview, Owino Market vendor, 19 August 2015.

²⁶⁰ Group interview, Owino Market vendors, 9 July 2015.

²⁶¹ Breakdowns of Uganda’s election results can be found at “Election Results,” Electoral Commission of Uganda, accessed 1 August 2016, <http://www.ec.or.ug/?q=content/election-results>. District results for the 2006 elections can be found at “Ugandan General Election, 2006,” Wikipedia, accessed 1 August 2016, https://en.wikipedia.org/wiki/Ugandan_general_election,_2006.

appeals to the President are often instrumental rather than indicative of actual support. According to one civil society leader, there is a widespread perception even amongst opposition supporters that “[i]f you want something, you just demonstrate” or “lead a delegation to the State House” and “the President will give it to you for political reasons.”²⁶² Market vendors know that the President has the power to intervene in policy formation and implementation and that he has a long history of doing so, and therefore view appealing to his authority as an effective way of pursuing their interests. Some appeals, of course, do indicate genuine political support; SSLOA, for example, has close ties to the President and actively seeks to mobilize support for the NRM. The vendors at Kisekka who appealed to Museveni to overturn NNRMVA’s deal with Rhino Investments, in contrast, did not abandon their overwhelming allegiance to the opposition. Museveni’s electoral interests present an opportunity that vendors take advantage of regardless of their true political sympathies.

Market vendors also take advantage of the NRM’s vote buying efforts for their own financial gain. They are not alone in this regard. According to one observer, since voters know that politicians are not actually responsive to their concerns and that elections will not result in any meaningful change, they treat elections as an opportunity to “milk” leaders, believing that “they have not done anything for us, so when they come I will try to get something from them.”²⁶³ Democracy Monitoring Group (DEMG), a local civil society organization, similarly argues that “[v]oters seek to extract resources from candidates because they feel that it is the only way they can gain from their vote.”²⁶⁴ Accepting the material goods offered by the NRM, however, does not necessarily imply support or indicate voting intention; indeed, an Afrobarometer survey found that 76% of respondents claimed that they would not support a candidate even after accepting money, while only 4% said that they would, and only 1% of respondents who supported the opposition stated that they would support the NRM if the ruling party tried to buy their vote.²⁶⁵ In their study of the 2011 elections, Jeffrey Conroy-Krutz and Carolyn Logan find that “beneficiaries of vote-buying attempts and recently distributed public goods were not significantly more likely to have supported Museveni than their counterparts”.²⁶⁶ This applies to market vendors

²⁶² Interview, Uganda National NGO Forum spokesperson, 17 August 2015.

²⁶³ Ibid.

²⁶⁴ Quoted from “Report on Money in Politics”, 3.

²⁶⁵ Conroy-Krutz and Logan, 636-637.

²⁶⁶ Quoted from *ibid.*, 627.

as well. Vendors interviewed at Kisekka, for example, noted that while traders in the market would accept the ruling party's gifts, they would still not vote for the NRM because the party ignores vendors once elections are over.²⁶⁷ Accepting the goods that are offered by the NRM but reneging on their implicit agreement to support the ruling party in return allows vendors to financially benefit from the electoral interests of politicians—even if some benefits, such as money given to certain SACCOs, are not universally available—without compromising their own political interests. This represents a significant form of political agency, and it is made possible due to the electoral competition that exists between the NRM and the opposition.

While the end of elections usually diminishes the agency of vendors by reducing the political divisions that they are so dependent on, the Walk to Work Protests that broke out across the country in April 2011 provided another brief opportunity for market vendors to become politically active. The protests had their roots in the outcome of the elections that had taken place less than two months earlier, and were initiated when the defeated opposition leaders, led by Besigye, launched a campaign that encouraged Ugandans to walk to work in order to demonstrate solidarity with the growing number of people who could not afford to pay for transportation. The nature of the campaign effectively tied the opposition's complaints about the unfair electoral process to the grievances of the urban poor who were being affected by rising inflation, particularly rapidly increasing food and fuel costs, that was at least partly caused by the NRM's excessive campaign expenditures. The campaign's broad appeal attracted widespread support in the city, particularly amongst the urban poor, and a situation quickly emerged in which increasingly large protests would provoke increasingly violent state repression, in turn leading to more protest.²⁶⁸ Market vendors, whose already precarious livelihoods were being put under even greater stress as a result of inflation, came to play a major role in the protests. Their involvement, like that of so many other groups, was not necessarily motivated by support for the opposition, but by their pre-existing social and economic marginalization and the political conditions that fostered it. Lukwago, the newly elected Lord Mayor and one of the leaders of the protests, admits that it was "just a coincidence" that while opposition leaders had their own "plan of civil action", vendors "had their own grievances" around which they were so quick to mobilize.²⁶⁹ For market vendors,

²⁶⁷ Group interview, Kisekka Market vendors, 19 August 2015.

²⁶⁸ A description of the Walk to Work Protests is provided in Branch and Mampilly, 125-150. For a particularly sanitized account of the Walk to Work Protests, see "Profile: Walk-to-Work Campaign," *New Vision*, 5 April 2012.

²⁶⁹ Interview, Erias Lukwago, 10 August 2015.

the Walk to Work Protests presented an opportunity to take advantage of a temporary political opening created by the opposition to overcome the divisions that normally separate the urban poor from both each other and other segments of society, allowing them to mobilize around long-held grievances. When the protests ended following severe state repression less than a month after they began, this opportunity again vanished.

Whatever popularity gains Museveni made in Kampala in 2011 disappeared in 2016. Not only did his share of the vote in the city decline from 2011, it also fell to its lowest point, 30.92%, of any of the five elections that he has participated in since coming to power.²⁷⁰ Issues surrounding markets, of course, are not the only determinant of Museveni's electoral performance in the city, but his efforts to improve his own popular support at the expense of the opposition have clearly not had their intended impact. Market vendors, however, have been able to take advantage of these efforts, first by (sometimes) using his support to strengthen their own management and development claims, and subsequently by seeking financial benefits during political campaigns. They were also able to take advantage of the opportunity presented by the Walk to Work Protests to unite around and act on shared grievances along with a much broader share of the city's, and indeed the country's, population. Each of these opportunities emerged due to the political divisions that exist between the ruling party and the opposition that elections render particularly acute.

While elections provide brief periods of political competition that market vendors are able to take advantage of, however, they do not fundamentally alter the increasing marginalization that vendors are forced to contend with. As this chapter has detailed, the deeply ingrained conflicts that exist within Kampala's markets, and the various forms of manipulation, co-option, repression and exclusion that these entail, have continued, and even worsened, since the 2011 elections and Walk to Work Protests. Elections allow vendors to realize small gains, but they are still part of a broader process by which the President and the NRM seek to expand their political control, a process that continues in other forms as elections end and competition that they create quickly disappears. It is this expansion of power that so profoundly impacts the agency of informal vendors and precipitates their exclusion from urban development and economic life in the city.

²⁷⁰ "Election Results".

Part III: Conclusions

Efforts by the President and the NRM to monopolize control over the state have had a significant impact on the agency of market vendors in Kampala. When the KCC attempted to privatize the city's markets due to financial problems largely caused by political interference from the central government, vendors were able to appeal to the President for support given his desire to undermine the opposition-led local government while increasing his own personal popularity. The President intervened to overturn the KCC's privatization program, and instead introduced a policy that gave vendors the right to manage and develop their own markets. While market vendors were able to unite around widespread opposition to privatization, this new policy exacerbated internal divisions within markets and led to major conflicts between groups of vendors surrounding issues of representation and the design and implementation of development projects. These divisions have significant socioeconomic roots, reflecting patterns of ownership and capital accumulation that exist amongst vendors. The President and the KCCA have been able to take advantage of conflicts within markets to advance their own competing interests, and provide support to groups of vendors that allow them to solidify their own popularity in or control over markets. This political support worsens divisions between vendors and further circumscribes their agency.

The ability of market vendors to exercise agency has not completely vanished due to closing political space, however. The opportunity to attract the support of either Museveni or the KCCA represents an important form of agency for some groups of vendors even as it limits the agency of others and allows the President and the ruling party to pursue their interests in Kampala's markets. Elections also provide periods of particularly open political space for market vendors due to heightened competition between the ruling party and the opposition. The ability to take advantage of temporary electoral openings, even just to secure material goods, represents an important form of agency for market vendors. The fact that vendors have been able to exercise this agency while largely ignoring the President's efforts to attract their support highlights their ability to resist political domination, even though they are largely unable to alter their position of marginalization when doing so.

The President's and ruling party's efforts to expand their power have placed significant constraints on the agency of market vendors. In doing so, they have excluded vendors from market management and development, threatened vendors' livelihoods and made internal conflicts

particularly intractable. While Museveni and the NRM have been able to further tighten their grip on political power, market vendors have experienced further marginalization. Barring any significant changes to the city's political landscape, it is difficult to see how this marginalization will be overcome.

Chapter Six: Conclusions

Since the end of the civil war in 1986, the President and the NRM have consistently sought to expand their power in an environment of ostensible political liberalization. The early decentralization and democratization programs introduced by the NRM were designed and implemented in a way that aimed to solidify its position and that of the President, and were halted or even reversed when they did not. While these reforms succeeded in providing both Museveni and the NRM with a considerable degree of legitimacy, popular support and political hegemony across the country, they also had the unintended consequence of allowing the opposition to dominate Kampala given its popularity in the city. This was a state of affairs that deeply dissatisfied the central government, which constantly undermined the KCC's authority and ability to carry out core functions in an attempt to demonstrate that the opposition was unfit to hold office and could not be trusted to lead urban management and development. These efforts, however, were unsuccessful, and the opposition maintained its political dominance in the city throughout the KCC's existence. Unable to gain control of the city through electoral means, the central government instead replaced the KCC with the KCCA, shifting political power in Kampala from democratically elected local officials to centrally appointed technocrats, and thus from the popular opposition to the ruling party and, ultimately, Museveni. Since the introduction of the KCCA, these technocrats, with the backing of the NRM, have sought to marginalize elected officials in the city even further. These events represent a dramatic expansion of power by the President and the ruling party in Kampala, and a fundamental reversal of the principles of decentralization and democratization that are apparently a central feature of Ugandan politics under the NRM.

The agency of informal vendors in Kampala has been profoundly impacted by the expansion of power by the President and the NRM. Street and market vendors have experienced this power in significantly different ways. The intense political competition between the ruling party and the opposition that came to define the KCC following the NRM's decentralization and democratization reforms gave street vendors the opportunity to remain on the city's streets. In a highly divided political environment, street vendors were able to support politicians who valued political advantage over the formation and implementation of policy and were willing to offer them protection in exchange for electoral support. The opportunity to take advantage of political divisions came to an end with the introduction of the KCCA, as the new city government is

structured and operates in a way that disempowers elected officials in favour of centrally appointed technocrats who do not rely on popular support for their positions. In order to justify its existence, the KCCA has sought to implement ambitious urban management and development plans, a central feature of which is a ban on street vending, an activity that is seen to have no place in a 'modern' urban landscape and economy. Unable to exercise the influence that they previously enjoyed, street vendors have faced significant repression by the KCCA. Market vendors were similarly able to take advantage of the competition that existed between the ruling party and the opposition in order to overturn the city's market privatization program, which was itself initiated due to financial struggles caused by the central government. Sensing an opportunity to further undermine the KCC and gain popular support at the expense of the opposition, Museveni ended market privatization and introduced the policy that vendors should manage and develop their own markets. This policy has reawakened and exacerbated divisions between market vendors that have deep socioeconomic roots, initiating conflicts surrounding who has the right to represent market vendors and what form(s) development should take. The President and the KCCA have been able to take advantage of these conflicts to further their interests in the city's markets, which are, for the President, increasing his personal popularity, and for the KCCA, improving revenue collection and implementing its urban development goals.

The expansion of political power by the President and the NRM has not completely eliminated vendors' ability to exercise agency, however. While both street and market vendors have seen their space for agency retract significantly, they have still been able to adopt certain strategies that allow them adapt to their changing circumstances. Precisely what these strategies are depends on the type(s) of state power that they face. Street vendors have responded to the criminalization of their activities in three ways: through compliance and co-operation, particularly by helping to create and relocating to Usafi Market; through small-scale forms of resistance that allow them to remain on the streets; and through forming or participating in organizations that aim to defend their interests and/or give them a degree of political representation and influence. Some groups of market vendors, in contrast, have been able to respond to conflicts by attracting the support of either the President or the KCCA to advance their own market management and development claims. Furthermore, both street and market vendors have been able to take advantage of the political competition offered during elections to make certain gains, particularly, for the

former, returning to the streets, and for the latter, acquiring material goods from politicians, primarily in the ruling party, who are seeking electoral support.

Despite the strategies that they employ to respond to their changing political circumstances, informal vendors still face significant obstacles in their efforts to exercise agency. Street vendors who have relocated to Usafi Market have had to contend with few customers and excessive rent, both of which threaten their livelihoods and have caused many to return to the streets to sell their goods. Those who have returned to the streets or never left in the first place face the constant threat of being fined, having their goods confiscated or being arrested and imprisoned. Attempts to form or join organizations are often derailed by practical issues such as a lack of money or difficulties holding meetings, while reduced political space makes organizations less able to exercise political influence, the ban on street vending makes them subject to repression and co-option remains a constant threat. Many groups of market vendors have been unable to attract any political support, while those that have been successful have also played their part in furthering the influence of the President or the KCCA within markets. Even when vendors' groups do manage to advance their own management and development claims, they are not necessarily vehicles for agency since they often represent narrow sets of interests, solidify internal market hierarchies and pursue development plans that many market vendors are unable to afford. Finally, gains made during elections often disappear with the return of the *status quo* surrounding informality once elections are over, such as when street vendors were evicted from the city streets immediately after the 2016 elections, or do not fundamentally alter the balance of power between the state and the informal sphere, as when market vendors extract material goods from politicians.

The President's and the NRM's efforts to monopolize their control over the state at both the local and the national level have ultimately limited the ability of informal vendors to participate in urban development and economic life in Kampala. While both street and market vendors have been able to adopt strategies that allow them to exercise limited forms of agency in the context of closing political space, they have seen their livelihoods become increasingly precarious and their presence in the city increasingly under threat. The political influence that they previously enjoyed has largely disappeared, and this political exclusion has precipitated a broader social and economic exclusion that the state uses its co-optive and coercive powers to enforce. For informal vendors, the ultimate effect of the monopolization of political power is further marginalization and

increased vulnerability. Despite their best efforts, it is a situation that they are largely unable to improve.

Part I: Key Insights

The experiences of informal vendors in Kampala offer important insights into informal economic activity more generally. This thesis offers a critique of the neoliberal view that informality represents a widespread disengagement by the urban poor from an exclusionary and unjust political and economic system, using the relationship between agency and the state as a lens through which to challenge neoliberal interpretations of informal economic activity and the core assumptions on which they are based. For neoliberal theorists like de Soto, informal economic activity is itself an expression of the agency of the urban poor in response to the high costs of formalization imposed by the state.¹ In this narrative, agency is understood in terms of the creativity of the poor and their determination to overcome their exclusion and participate in development on their own terms, while the state is viewed as relevant for its economic dysfunction, its burdensome regulatory and legal constraints and its poor incentives for formalization. Neoliberal interpretations of informal economic activity have come to dominate academic and policy literature and inform common best practice, particularly due to their influence over the World Bank.² This thesis offers a dramatically different analysis of the relationship between agency and the state in the informal sphere. Agency, it contends, is fundamentally shaped by the state and takes places within the structural limitations that the state imposes. The informal sphere is not a space for popular agency, but of constant and pervasive state power that the poor must navigate in their efforts to participate in urban development and economic life. State repression, manipulation and co-option rather than liberation and empowerment are the defining features of life in the informal sphere, while the state's political processes and institutions, modes of operation, vertical linkages, treatment of independent and oppositional groups, forms of representation and electoral competition and urban development ambitions have a greater impact on agency than its regulatory and legal frameworks or its formalization incentives.

This thesis also casts doubt on the degree to which informal actors are able to 'change the rules' of state-society relations. The notion, advanced by Tripp, that informal economic activity

¹ See, in particular, Perry et al.

² De Soto.

that can precipitate political transformation by challenging the state's definition of social justice and economic fairness overstates both the extent to which informality reflects a popular sense of morality and the malleability and responsiveness of state power.³ Presented with the challenge of widespread informality, there is no reason to believe that the state will become more accommodating as it adjusts to the livelihood strategies of the urban poor. As the modern history of street and market vendors in Kampala suggests, the response of the state is likely to be increased political control resulting in further exclusion. The agency of informal vendors in Kampala has not driven political change. Instead, political change has dramatically limited their agency and worsened their vulnerability.

The idea that informality can be 'solved' through formalization, and that formalization can be promoted by reducing the costs imposed by taxation and regulation while reforming the legal system to protect the property and contract rights of the poor, ignores the realities of state power in the informal sphere. Liberalization does not help reduce informality, but in fact helps to create and sustain it. The state is also not relevant for informal actors merely as an obstacle to formalization, but also as the body that leads urban management and development and regulates access to urban space, and is, at times, repressive, manipulative or even co-operative for its own purposes. It also shapes the ability of informal actors to exercise agency through its structures, institutions and internal distribution of power, forcing them to navigate their ever-evolving political circumstances in ways that can precipitate further marginalization. None of these aspects of the relationship between the informal sphere and the state can be addressed through further economic liberalization. Indeed, one of the primary drivers of efforts to eradicate informal vending is the rise of a form of neoliberal urbanism that views the practice as antithetical to exclusionary notions of 'modernity' and 'development'. Vendors do not require assistance as entrepreneurs through microfinance, formalization campaigns and private sector development initiatives, but relief from the ever-present forms of state power that define their daily lives and limit their ability to participate in exclusionary urban development processes.

The significant restrictions that informal vendors face due to their political circumstances do not mean that they are unable to exercise agency. This thesis explores many of the ways in which they are able to do so, highlighting how each is fundamentally tied to the state. In doing so, it builds on the growing body of literature that considers specific manifestations of agency in the

³ Tripp (1997).

informal sphere by placing the agency of informal vendors in its proper political context, emphasizing that questions about the structural limitations imposed by the state and the role of political power in driving structural change are central to understanding agency in the informal sphere. Its description of the ability of informal vendors to exercise political influence by taking advantage of competition and the self-interest of elected officials following decentralization and democratization follows most directly from Cross' work on how street vendors can take advantage of poor state integration and the disconnect between the design and implementation of policy to remain on city streets.⁴ It departs from Cross not only in its emphasis on competition between the ruling party and the opposition and between the central and local government in a period of significant political transformation, but also by detailing how such an equilibrium can end. Just as questions of power can lead to the creation of a system in which vendors can exercise political influence, the same questions of power can spur institutional transformation in the pursuit of political hegemony, resulting in a new *status quo* in which vendors face state repression, manipulation, co-option and developmental pressures while lacking viable avenues for political engagement. Informal actors' ability to exercise political influence is dependent on a specific set of state structures and power dynamics that facilitate inclusion and tie the interests of officials to those of otherwise marginalized groups. As these state structures and power dynamics change, the agency of informal actors necessarily changes as well.

Placing the agency of informal actors in its proper political context is also essential for understanding organization in the informal sphere. The ability of informal actors to organize and collectively assert their rights has become a major focus of the ILO, civil society activists and scholars, creating a large body of work detailing the successes and failures of organizational efforts in a broad range of contexts.⁵ This thesis demonstrates the extent to which organization is dependent on the political conditions in which it takes place. Street vendors in Kampala were able—and even encouraged—to organize under the KCC; under the KCCA, street vendor organizations have faced co-option and repression while further organization efforts have been limited by doubts about political influence and the fear of coercive state power. Market vendor organizations in the city were able to successfully oppose privatization by gaining the support of the President, winning the right of vendors to manage and develop their own markets, but their

⁴ Cross (1998b).

⁵ See Chapter Two, Notes 82-87.

ability to realize their management and development plans have since been dependent on their ability to attract political support, while both the President and the KCCA have furthered their influence in markets and exacerbated internal divisions. The potential of organization in the informal sphere is fundamentally determined by the state, and cannot be reduced to de-contextualized, de-politicized generalizations about agency that ignore the dynamics of the political environment in which organization occurs. Understanding this environment, and how and why it changes, is crucial for understanding the fortunes of organizational efforts by informal actors.

Finally, recognizing the structural limitations on agency imposed by the state sheds light on the small-scale resistance strategies that informal actors employ in the face of state repression. It is the state, of course, that makes these strategies necessary; when channels for influence close and states seek to use their coercive power to eradicate street vending, vendors who wish to remain on city streets must act in ways that allow them undermine the state's efforts. In doing so, they engage in certain forms of 'everyday resistance' that, following Scott,⁶ contest the application of state power while avoiding outright confrontation.⁷ During election periods, the brief return of political competition allows street vendors, following Bayat's critique of Scott,⁸ to more actively and progressively make claims on the state, even if their gains are temporary and largely disappear once elections are over. The repression of informal vending is primarily driven by the state's developmental ambitions and definitions of who and what urban space is for,⁹ both of which are rooted in state power and political control. These dynamics of power and the interests that they serve are the defining features of the context in which small-scale resistance takes place.

The agency of informal actors is fundamentally contingent on the political circumstances in which they are forced to act. The relationship between agency and the state in the informal sphere is not defined by disengagement, liberation and the transformative potential of grassroots entrepreneurial activity, but by constant and ubiquitous state power that permeates all aspects of the lives of the urban poor and circumscribes their possibilities for action. The fortunes of informal actors are largely at the mercy of political changes that are driven by the interests of power and over which they exercise limited influence. Their efforts to participate in urban development and

⁶ Scott (1985); and Scott (1990).

⁷ See, for example, Musoni.

⁸ Bayat (1997); Bayat (2000); and Bayat (2010).

⁹ Also see Setšabi and Leduka.

economic life subject them to various forms of state interference, co-option, repression and clientelism and force them to navigate political institutions and processes that are characterized by increasing levels of political control. For the urban poor, the informal sphere is not a space for agency, but of further socioeconomic and political exclusion. In the face of ever-present state power, their ability to improve their condition of marginalization and vulnerability is limited.

Part II: Avenues for Future Research

The arguments presented in this thesis point to a number of potentially fruitful avenues for future research. Three of these seem particularly valuable: examining how actors other than informal vendors are impacted by the evolution of state in Kampala; exploring the effects of the state on the agency of informal actors in other political contexts; and considering how the agency of informal actors is impacted by conditions and circumstances that are not related to the state.

i. Different Actors

While this thesis focuses on informal street and market vendors, it would be equally insightful to examine how other groups of actors in Kampala have their agency impacted by the state. The most obvious new direction in this regard would be to explore how different sectors of the informal sphere engage with the state. Many of the features of informal vending that define its relationship with the state are specific to the activity itself, particularly the degree to which it is seen as a manifestation of urban disorder and underdevelopment as well as a threat to formal businesses. Similarly visible forms of informal economic activity that take place in the city, particularly work in the *boda-boda* and *matatu* industries, offer obvious points of comparison, as do other activities that are less prominent but still important features of Kampala's economic and physical landscape, including waste picking, domestic work, construction work and informal employment in businesses of various sizes. These activities not only have different social, economic and political statuses, but also involve a variety of forms of capital accumulation and livelihood support, patterns of ownership, employment relationships and internal hierarchies. Exploring how each of these activities is impacted by the monopolization of political power by the President and the NRM would be a significant step toward understanding the relationship between the state and the informal sphere more generally.

It would be similarly worthwhile to examine how groups outside of the informal sphere are impacted by Kampala's changing political environment. Opposition parties and supporters, unions, local NGOs, different types of formal businesses or even business associations such as KACITA and PSFU all must contend with the state in different ways, and examining how they have experienced and navigated changing political circumstances would offer similar 'bottom-up' views of the state to the one that is presented in this thesis. All of these perspectives promise valuable empirical insights that would aid in the construction of a comprehensive understanding of the nature of the Ugandan state.

ii. *Different Political Contexts*

The accounts presented in this thesis are firmly rooted in the politics of informality and the state in Kampala and Uganda more generally. Because the agency of informal vendors in Kampala is shaped by their particular experiences of political power in the city, it would be valuable to analyze the relationship between informal vendors and the state in different contexts. This could be done in two ways. The first would be to examine different political contexts in Uganda itself. Kampala, due to its size and political and economic significance, is not necessarily representative of all urban settings in Uganda, so it would be valuable, for example, to consider how the themes highlighted in this thesis can be observed in cities as geographically, economically and politically diverse as Entebbe, Jinja, Mbarara, Mbale and Gulu. It would also be worthwhile to compare urban and rural settings, particularly given how much the state's treatment of informal vending is rooted in particular understandings of urban management and development. Finally, regional differences in levels of development and experiences of state power are particularly pronounced in Uganda, and studying the politics of informal vending in, for example, the north and southwest would offer valuable insights into how the state interacts with the informal sphere in markedly different political circumstances.

The second way in which the relationship between informal vendors and the state should be considered in different contexts is by analyzing the themes explored in this thesis outside of Uganda.¹⁰ Similar cases can most likely be found within Sub-Saharan Africa, and considering the extent to which the politics of informal vending in the region are commonly dominated by the

¹⁰ Relevant literature on the relationship between informal vendors (and informal actors more generally) and the state outside of Uganda is explored in Part II of Chapter Two.

forms of personal rule, politicized decision-making, informal bargaining, institutional interference and manipulation of democratic processes that are highlighted in this thesis would contribute greatly to understandings of the 'African state'. Comparisons should not be confined to similar cases, however, but should also include states with notably different political systems and economic and social realities as a means of determining the significance that these have in shaping the politics of informal vending. Several axes of difference are particularly relevant: levels of democracy and authoritarianism; degrees of the concentration of power; structural and constitutional arrangements; levels of state repression; levels of development; levels of economic liberalization; developmental ambitions; levels of conflict and/or regime stability; and levels of social fragmentation along political, ethnic or socioeconomic lines. Such comparisons would provide significant insight into the generalizability of the arguments presented in this thesis.

iii. Beyond the State

This thesis argues that the state plays a crucial role in shaping the agency of informal vendors in Kampala. This does not mean, however, that all analysis of informality must take the state as its central point of reference. Indeed, informal economic activity should be studied from as many perspectives as possible in order to fully understand it in all of its complexity. For example, detailed ethnographic accounts and longitudinal studies of how particular organizations emerge, evolve, solve problems surrounding mobilization and, in many cases, decline as a result of repression, co-option, ineffectiveness or internal problems would contribute greatly to understandings of the agency of informal actors. While the extent to which informal actors can benefit from external assistance, particularly from unions, NGOs or international organizations has already been explored in considerable detail in existing literature,¹¹ more work can still be done on the social networks that these organizations are connected to¹² and the potential for transnational activism in the context of constantly evolving and increasingly globalized media environments. More generally, the discourses that informal actors employ and the significance of

¹¹ See Chapter Two, Notes 82-87.

¹² See, for example, Meagher (2010).

ethnicity,¹³ gender¹⁴ and culture¹⁵ in shaping their agency merit further attention. All of these avenues promise to complement the arguments presented in this thesis.

Part III: The Future of Informal Vending in Kampala

Informal vending in Kampala is inseparably tied to the state. Its future is therefore largely dependent on the continued political evolution of the city. The KCCA is now firmly established as the city's local government body, and the central government is unlikely to voluntarily relinquish power in the city and reintroduce the political competition that existed under the KCC. The impetus for change therefore must come from elsewhere; given the closed and unresponsive nature of the KCCA, however, it remains unclear how effective any internal or external pressure will be. The success of the opposition in the city's 2016 local elections suggests that popular opinion is still very much against the ruling party and its dominance of local politics—even if some, particularly those in the upper and middle classes, believe that the KCCA is doing a better job at leading urban management and development than the politically divided KCC—but the structure and operation of the KCCA means that popular opinion counts for little. Led by Lukwago—who remains an overwhelmingly popular figure in Kampala—elected officials will continue to resist their marginalization and challenge the dominance of unelected technocrats in decision-making processes, ensuring that the political struggles between the opposition and the ruling party that have occurred within the KCCA since its creation will continue. Unfortunately for local politicians, challenging the technocrats that control the KCCA effectively involves taking on the power of the central government. This is a difficult task.

The prospect of the KCCA lifting its ban on street vending seems remote. Efforts to remove vendors from Kampala's streets are a key feature of the urban management and development ambitions that underpin the KCCA's legitimacy, and they will not likely be abandoned, particularly given street vendors' lack of political influence. The combination of the KCCA's obstinacy and a lack of economically viable alternatives to street vending makes the constant state

¹³ See, for example: Novo, Carmen Martínez, "The 'Culture' of Exclusion: Representations of Indigenous Women Street Vendors in Tijuana, Mexico," *Bulletin of Latin American Research* 22 (3) 2003: 249-268; and Swanson, Kate, "Revanchist Urbanism Heads South: The Regulation of Indigenous Beggars and Street Vendors in Ecuador," *Antipode* 39 (4) 2007: 708-728.

¹⁴ See, for example: Kabeer, Naila, Kirsty Milward and Ratna Sudarshan, "Organising Women Workers in the Informal Economy," *Gender & Development* 21 (2) 2013: 249-263; and Kabeer, Sudarshan and Milward eds.

¹⁵ See, for example, Seligmann, Linda J., "Market Places, Social Spaces in Cuzco, Peru," *Urban Anthropology and Studies of Cultural Systems and World Economic Development* 29 (1) 2000: 1-68.

repression and vendor resistance described in this thesis particularly intractable. Assuming that the KCCA's ban will not be lifted, breaking this pattern would involve creating alternatives to selling on the streets that appeal to vendors. This is precisely the purpose of Usafi Market, but the problems surrounding the market have limited its success. Now that the KCCA has assumed control of Usafi, it has an opportunity to take steps to ensure that the market becomes both economically sustainable and attractive for vendors who would otherwise trade on the city's streets. Whether or not it will—or even can—do so is unknown, but early signs from its market management are not particularly promising. Indeed, there are few signs that street vendors in Kampala can look forward to any relief.

Market vendors face a similarly uncertain future in the city. Whereas the primary threat to street vendors in Kampala is repression by the KCCA, market vendors instead face considerable challenges that stem from efforts to redevelop markets into 'modern' shopping centres. These efforts are being led by the central government, the KCCA and groups of vendors themselves. Extensive market development plans will soon be implemented by the KCCA in 11 markets throughout the city, while the central government will redevelop a further 11 across the country under MATIP-2. The experiences of Wandegeya Market suggest that these plans may have a negative impact on many vendors' livelihoods. Further problems can be observed in the three markets that this thesis examines. In Owino Market, SSLOA will soon implement its ambitious market development plan despite the opposition of a large share of the market's vendors who are concerned about the costs of the project and the narrow interests it represents. Similar conflicts at Kisekka Market have hindered redevelopment efforts, and as a result, it is highly possible that the KCCA will take over the lease for Kisekka in the immediate future. Now just an empty lot in Nakasero, Kisekka Market may never be reconstructed, in which case its vendors would likely disperse to other markets throughout Kampala or even leave the city altogether when they are no longer able to afford the excessive cost of rent in the arcades that most of them currently inhabit. In Nakawa Market, the KCCA seems to have little intention of returning the market to vendors, and will likely introduce its own market development plan at some point in the future. In all three markets under study here, vendors have little reason to be optimistic about what the future holds.

Perhaps the greatest hope for informal vendors in Kampala is a fundamental change in the central government. While this may seem a remote prospect at present given the degree of hegemony enjoyed by both the President and the ruling party, there will come a time when each is

inevitably replaced. It is unknown when either of these changes will occur, or indeed what the country's post-Museveni, post-NRM political landscape will look like given the extent to which both the President and the ruling party have been virtually synonymous with the state throughout their time in power. If, however, either brings about an end to the continuous monopolization of political power that has been a defining feature of politics in Uganda under the NRM, then perhaps it will also bring about an end to the trend of increasing marginalization and vulnerability that informal vendors currently face. Under the right political conditions, informal vendors can participate in the processes of urban management and development from which they are so often excluded. While these do not currently exist in Kampala, they may yet emerge from seismic shifts in local and national politics. For informal vendors, such transformation—whatever its source—cannot come soon enough.

Appendix A

Interviews

Interview Number	Respondent(s)	Date
1	Stephen Odaro, Leader of Platform for Vendors Uganda	23 February 2015
2	Street Vendors (Two People)	24 February 2015
3	PLAVU Recruitment Meeting (16 People)	26 February 2015
4	Platform for Vendors Uganda Organizer	26 February 2015
5	Street Vendor (Interview I)	26 February 2015
6	Street Vendor (Interview II)	26 February 2015
7	Street Vendors (Three People)	3 March 2015
8	Lawyer	3 March 2015
9	Stephen Mugole, General Secretary/CEO, Uganda Hotels, Food, Tourism and Allied Workers Union	5 March 2015
10	Stephen Odaro, Leader of Platform for Vendors Uganda	6 March 2015
11	Nansana Market Vendors Association Meeting (Five People)	6 March 2015
12	Robert Mathuku, NUIEWO Founder	7 March 2015

13	Street Vendors (Three People)	7 March 2015
14	Street Vendor Customer	7 March 2015
15	Ali Kigongo, Waste Pickers Alliance Uganda Founder	7 March 2015
16	Street Vendors (Three People)	3 July 2015
17	Stephen Odaro, Leader of Platform for Vendors Uganda	4 July 2015
18	Street Vendors (Two People)	5 July 2015
19	Shop Vendor	8 July 2015
20	Shop Vendors (Three People)	8 July 2015
21	Street Vendors (Six People)	8 July 2015
22	Kampala Hawkers Association (Five People)	8 July 2015
23	Owino Market Vendors (Ten People)	9 July 2015
24	Owino Market Vendor (Interview I)	9 July 2015
25	Owino Market Vendor (Interview II)	9 July 2015
26	SACCO Director, Usafi Market	10 July 2015
27	Usafi Market Vendor (Interview I)	10 July 2015
28	Usafi Market Vendor (Interview II)	10 July 2015

29	Usafi Market Vendors Association Member	10 July 2015
30	Shop Vendor	14 July 2015
31	KACITA Representative	11 July 2015
32	Small Moneylender	16 July 2015
33	Usafi Vendors Association (Six People)	18 July 2015
34	PSFU Representative	20 July 2015
35	Journalist	25 July 2015
36	Kisekka Market Vendors (Interview I, Two People)	25 July 2015
37	Kisekka Market Vendors (Interview II, Two People)	25 July 2015
38	Member of Rival Group within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited	25 July 2015
39	Rival 'Chairperson' within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited	25 July 2015
40	Moses Kasibante, Member of Parliament, Parliament of Uganda	27 July 2015
41	Member of Nakawa Market Traders' Development Association	29 July 2015
42	Chairperson, Nakawa Market Traders' Development Association	29 July 2015

43	Lawyer	30 July 2015
44	Shop Vendor	31 July 2015
45	Ali Kigongo, Waste Pickers Alliance Uganda Founder	4 August 2015
46	St. Balikuddembe Market Stalls, Space and Lock-Up Shops Owners Association Limited (Two People)	4 August 2015
47	St. Balikuddembe (Owino) Market Produce, Traders and Vendors Co-Operative Society (Six People)	8 August 2015
48	Erias Lukwago	10 August 2015
49	Uganda Revenue Authority (Three People)	11 August 2015
50	Anonymous Source	13 August 2015
51	Nakawa Market Vendors Association Limited (Five People)	14 August 2015
52	Uganda National NGO Forum Spokesperson	17 August 2015
53	Street Vendor (Interview I)	17 August 2015
54	Street Vendor (Interview II)	17 August 2015
55	Shop Vendor (Interview I)	17 August 2015
56	Street Vendor (Interview III)	17 August 2015
57	Shop Vendor (Interview II)	17 August 2015

58	Kisekka Market Vendors (14 People)	19 August 2015
59	Owino Market Vendor	19 August 2015
60	Owino Market Vendors (Two People)	19 August 2015
61	Chairperson, Nakivubo Road Old Kampala (Kisekka) Market Vendors Ltd.	20 August 2015
62	Rival Group within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited (Three People)	20 August 2015
63	Rival Group within Nakivubo Road Old Kampala (Kisekka) Market Vendors Limited (Two People)	21 August 2015
64	KCCA Spokesperson (Email)	11 November 2015
65	KCCA Spokesperson (Email)	12 February 2016
66	KCCA Official (Email)	17 February 2016
67	KCCA Official (Email)	19 April 2016
68	Kampala Hawkers Association Leader (Email)	10-12 July 2016

Appendix B

*Survey*¹

Section I: Background Information

Gender/Obutonde Bwomuntu: Male/Musajja ___ Female/Mukazi ___ Age/Emyaka: _____

Market/Akataleko: Kisekka ___ Owino ___ Nakawa ___

Employment situation/Wekozesaobanedda: Employer/Olinabokozesa ___ Employee/Olimukozi ___
Self-employed, no employees/Wekozesatolinabakozi ___

Business location/Okolelawa: Open space/Mukifo Kyomubbanga ___ Stall/Mudaala ___ Lock-up/Obalokaapu ___

Do you own or rent your market space? Olinnanyini oba opangisa ekyifo ekyo kyolimu? Own/Olinnnanyini ___
Rent/Opangisa ___

What are your average weekly profits? Magobakkigofuna mu week _____

Section II: Short Answers

Why did you come to work at the market? Lwaki wajja okkolela mukatale?

What challenges do you face as an informal vendor? Bizibuki byofuna nga ggwe alejjesa?

Are you involved in a market association? If so, which one? Why? Olina ekyiwayi kyekyibiina kweebyo ebibiina ebili mukatale kwoogwa? Bwekibaawo kyibiina kki? Ela lwakyi oli mwekyo?

Do politicians ever try to get you to vote for them? If so, how? Bannabyabufuzi bakusikiliza obbalonda? Bwekiba kyituufu bakusikiliza batya?

What factors or issues are most important in determining who you will vote for? Ggwe ngaggwe osinziila kuki okusalawo gwolonda?

Have you ever participated in a protest or demonstration at your market? If so, why? Waliwetabyeeko mu kwekalakasa mu kataleko, elelwaki?

¹ This survey has been slightly reformatted here for space and clarity.

Appendix C

Survey Macro Data¹

Market

	Owino	Kisekka	Nakawa	Total
Respondents	52	38	38	128 ²

Gender

	Owino	Kisekka	Nakawa	Total
Male	18	25	16	59
Female	34	13	22	69

Employment Status

	Owino	Kisekka	Nakawa	Total
Self-Employed, No Employees	38	20	19	77
Employer	7	14	8	29
Employee	4	4	10	18

¹ This survey was designed to be illustrative rather than representative, so this macro data does not necessarily provide accurate information on market demographics.

² A mismatch between the sum of the figures in a particular column with total number of vendors surveyed in the corresponding market indicates that some respondents declined to answer the relevant question.

Location in Market

	Owino	Kisekka	Nakawa	Total
Lock-up Shop	12	16	15	43
Stall	19	13	16	48
Open Space	21	9	7	37

Ownership Status

	Owino	Kisekka	Nakawa	Total
Own	16	5	12	33
Rent	29	31	18	78

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